

**Submission
No 91**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Organisation: University of Sydney Students' Representative Council (SRC)

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STUDENTS' REPRESENTATIVE COUNCIL

**A submission to the New South Wales Legislative Assembly
Committee on Law and Safety**

on the

**Measures to prohibit slogans that incite hatred and threaten
community safety.**

Submitted by: The University of Sydney Students' Representative Council
(SRC)

Author and contact person: Grace Street | President

January 2026

Dear Chair and committee members,

Please find below the University of Sydney Students' Representative Council's submission to the NSW Legislative Assembly Committee on Law and Safety on the Measures to prohibit slogans that incite hatred and threaten community safety.

The University of Sydney Students' Representative Council (*the SRC*) is the peak representative body for undergraduate students at the University of Sydney. We represent around 40,000 undergraduate students each year with a broad organisation run by student councillors and office-bearers elected in annual elections. The SRC has been run for students and by students since 1929, and we exist to defend and advance the interests of University of Sydney (*USyd*) students.

As a body with a long history of activism and protest, the SRC is in a unique position to speak to the definitions, history, and contested meanings of certain slogans and phrases that we have spent years both using and defending. The SRC opposes proposals to ban or criminalise political slogans, including phrases such as “globalise the intifada” and “from the river to the sea, Palestine will be free”. We are concerned that banning political language would infringe upon constitutional rights to free speech and protest, has racist undertones in the targeting of Arabic language and pro-Palestinian advocacy, and would weaken both democratic participation and social cohesion in NSW by sowing further divisions amongst communities and different political views.

We seek to maintain and uphold the important role of protest and free speech in a democracy, and refer to the NSW Parliamentary Research Service Briefing Paper No. 7 on Protests and the law in NSW (2015), which states that:

*The common law right to assembly has been expressly recognised by Australian courts, including the High Court of Australia and the Supreme Court of NSW. It is further protected by the Australian Constitution under the implied freedom of political communication;*¹

and that

*The importance of protests is implicitly (but not explicitly) recognised by Part 4 of the Summary Offences Act 1988, which aims to facilitate negotiation between protesters and police.*²

¹ Gotsis, Tom. 'Briefing Paper No 7/2015 - Protests and the law in NSW'. *NSW Parliamentary Research Service*. June 2015.

<https://www.parliament.nsw.gov.au/researchpapers/Documents/protests-and-the-law-in-nsw/Protests%20and%20the%20law%20in%20NSW.pdf>

² *Ibid*

A summary of our arguments and recommendations is as follows:

1. The Terms of Reference (ToR) of this committee inquiry and report presupposes and falsely assumes that slogans like “globalise the intifada” pose a “threat” to “community cohesion and safety and the importance of maintaining social harmony and cohesion”;
2. The creation of this committee inquiry and its referral on 22 December 2025 as a response to the antisemitic attack in Bondi on 14 December, create a false equivalence between slogans of the pro-Palestine movement and the violence of unrelated and unassociated extremist groups such as ISIS;
3. The aim of this committee inquiry and report to “combat such slogans” will not reduce antisemitism, but it will certainly curtail freedom of speech and peoples’ ability and confidence to use their political freedoms, which will inevitably have likely flow-on effects including further division, mistrust, and violence within the community;
4. The attack on certain slogans of the pro-Palestine movement has long-served as a front and as part of a proxy war on the movement to silence and intimidate its supporters;
5. We urge that this committee seeks to make a clear distinction between hate speech and political speech;
6. We urge that the report produced by this committee does not seek to criminalise protest slogans, which may be both unconstitutional and counterproductive to ‘social cohesion’;
7. We urge that the report produced by this committee does not seek to adopt the position of ‘best practice to combat the use of such slogans’ that have shown to be repressive in other areas of society, such as higher education institutions.

Furthermore, we express serious concern regarding the potential consequences of a rushed timeline of the inquiry and no opportunity for public hearings, which may result in legislation that restricts civil liberties and freedoms in New South Wales, and sits in opposition to the implied values of the constitution.

We hope that our experiences with similar inquiries into slogans and their corresponding infringements on political freedoms, in addition to our perspective on and knowledge of the use of the contested slogans in the purview of this committee inquiry, will guide the committee to outcomes that do not further an established pattern of reduced freedoms in New South Wales and a singling out of the Palestine solidarity movement.

Grace Street
98th SRC President

Background

For decades, the University of Sydney Students' Representative Council has fought for student rights. We stand for a free, fair and funded education, universal student unionism and a society free of discrimination and oppression. This includes the fight for a free Palestine and against apartheid and genocide across historic Palestine. We are firmly against all forms of racism, including antisemitism and anti-Palestinian racism or Islamophobia.

The historic advocacy of the SRC and its more recent campaigns and Student General Meetings related to Palestine and free speech that have received widespread support from students provide our mandate for this submission, and underscore our commitment to rebutting the premise and terms of reference of this review.

On Wednesday 7 August 2024, the SRC facilitated a Student General Meeting where 600 undergraduate students attended the in-person meeting to overwhelmingly vote in favour of two motions. The primary motion was to support USyd cutting ties with the genocide in Gaza via its partnerships, exchange programs, and financial ties, and for USyd repealing disciplinary measures and the 2024 'Campus Access Policy' that emerged in the wake of the 2024 USyd Gaza Solidarity Encampment and that continues to stifle dissent and free speech. The second motion was to support a single Palestinian state where people of all faiths can live side-by-side in historic Palestine.

On Wednesday 14 May 2025, students gathered again for a Student General Meeting of over 200 undergraduate students attending in-person to vote against the controversial 2025 Universities Australia definition of antisemitism, and to reaffirm support for the motions of the August 2024 Student General Meeting. The definition of antisemitism condemned by students in this meeting "dangerously conflates legitimate criticism of Israel and Zionism with anti-Semitism, weaponising accusations of racism to silence and repress student rights to protest and freedom of expression, rights that are protected under Articles 19 and 20 of the International Covenant on Civil and Political Rights".³

On Thursday 28th August, USyd took part in the National Student Referendum on Palestine led by the National Union of Students (NUS) and Students for Palestine (SFP), which took place across 13 Australian campuses and with 5,295 students registering to vote. Prior to the referendum at USyd's Camperdown campus, over 850 students had registered to vote. On the afternoon of the Referendum, over 500 students showed up and voted, making it one of the largest referendum sites in the country on the day.⁴ This was another decisive vote which saw a unanimous vote of those in attendance in favour of one motion to "censure the Australian

³ Amnesty International Australia, 27 February 2025, <https://www.amnesty.org.au/australian-universities-decision-to-adopt-contested-definition-of-antisemitism-is-an-attempt-to-stifle-freedom-of-expression-across-campus-nationwide/>

⁴ Sabey, Imogen, Saker, Charlotte, & Zhang, Victor. 'Over 500 vote yes in national student referendum on Palestine'. *Honi Soit*, August 30 2025. <https://honisoit.com/2025/08/over-500-vote-yes-in-national-student-referendum-on-palestine/>

government for its complicity in the genocide in Gaza” and a second voted to “call on all Australian universities to end their complicity in Israel’s genocide”.⁵

The SRC supported and took part in the ‘People’s Inquiry into Campus Free Speech on Palestine’ which received 150 submissions from 20 Australian university campuses, and held public hearings in Sydney, Melbourne, and online. The People’s Inquiry is supported by the Australia Palestine Advocacy Network (APAN), the Institute for Collaborative Race Research, the National Union of Students, Students for Palestine Australia, Sen. Mehreen Faruqi (Australian Greens), and Dr. Helen Jarvis (Permanent People’s Tribunal), with a panel of student representatives, university staff, and members of civil society organisations. The Preliminary Report released in June 2025 outlined three preliminary findings:

- 1) Australian universities have **restricted the free speech and academic freedom** of staff and students on the question of Palestine;
- 2) Australian universities have **targeted students and staff** who express support for Palestine for **surveillance and discipline**;
- 3) Universities have used existing policies and devised new policies in an opaque way to **target and censor students and staff expressing support for Palestine**.⁶

The SRC’s submission to the People’s Enquiry in April 2025 can be found in Appendix 1 of this document. It drew on a wide array of examples to demonstrate: the discriminatory enforcement of protest policies; the use of bureaucratic mechanisms to target pro-Palestine students; the climate of surveillance, fear, and silencing created by the university; and, the urgent need for structural change and policy repeal. This submission from the People’s Enquiry discusses specific cases such as that of Luna, who faced suspension simply for the act of writing a series of pro-Palestine statements on whiteboards using university-provided markers that were non-permanent and erasable. These included factual statements about the death toll in Gaza and the university’s ties to arms manufacturers. Despite knowing of her asylum seeker status as a transgender woman from Malaysia and that the threat of suspension would jeopardise her visa, the University continued to try to serve consequences to Luna and arbitrarily stretched policy definitions to categorise whiteboard messages as "property damage" and "unauthorised protest".

Further recorded instances display that the University’s measures in response to its crackdown on protest and political speech can have, and have had, disturbing and damaging effects on students. One case is described in a recent *Honi Soit* article by an anonymous reporter:

⁵ Sabey, Imogen, Saker, Charlotte, & Zhang, Victor. ‘Over 500 vote yes in national student referendum on Palestine’. *Honi Soit*, August 30 2025.

<https://honisoit.com/2025/08/over-500-vote-yes-in-national-student-referendum-on-palestine/>

⁶ The People’s Inquiry, *Don’t talk or write about Palestine: it is a career killer. Preliminary Report of the People’s Inquiry into Campus Free Speech on Palestine*. June 2025.

https://drive.google.com/file/d/1oDvEgexZxGzdBAy1euUiKuDyoXjn_4D_/view

*“A leak to the reporter stated that in January 2025, an anonymous Palestinian student allegedly faced a complaints process after making a speech at a pro-Palestine rally on campus. After going through the investigation process providing evidence for claims they allegedly made at the speech, their university replied that “... suggesting an army is intentionally murdering civilians (including children) in cold blood can result in discrimination, harassment, and heightened tensions within our community.” This is exemplary of the potential risks of implementing the IHRA definition especially in a student protest setting. Even before the definition’s implementation, as early as January of this year, calling out actions of a genocidal, violent government is an action that can be disciplined and allegedly an action that can lead management to tell a student they have led to a supposed increase in discrimination, harassment, and ‘heightened tension’ within university communities”.*⁷

The necessity of the reporter and informant to remain anonymous speaks to the level of fear felt on university campuses. This is also an absurd case – a Palestinian student allegedly faced a complaints process from the University just for suggesting the Israeli army was intentionally murdering civilians. This claim is supported by various reports by renowned human rights and civil society organisations, such as Human Rights Watch⁸ and the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel.⁹ This case again speaks to the pattern of intimidating activists and silencing dissent through making unclear links between spoken facts about a foreign country’s crimes and increasing ‘heightened tensions’ in the community. Measures like the ones proposed in this inquiry’s Terms of Reference (ToR) will likely have similar effects to those that have been implemented at the University of Sydney, which has already had adverse effects on community members’ confidence to speak out or voice their opinions, and is already disproportionately affecting Palestinians and those with racialised identities.

We note that the Legislative Assembly Committee on Law and Safety was called to discuss this inquiry and measures in the Terms of Reference in the wake of the antisemitic attack on a Chanukah event at Bondi Beach on Sunday 14 December 2025. However, we reject using this instance of violent antisemitism as the premise for seeking to decry and ban slogans

⁷ Anonymous, ‘Australian Government Threatens Free Speech & The Right to Protest in Acts of False Retribution’, *Honi Soit*, December 22 2025, <https://honisoit.com/2025/12/australian-government-threatens-free-speech-the-right-to-protest-in-acts-of-false-retribution/>

⁸ Human Rights Watch, *Extermination and Acts of Genocide - Israel Deliberately Depriving Palestinians in Gaza of Water*, December 19 2024, <https://www.hrw.org/report/2024/12/19/extermination-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza>

⁹ Office of the United Nations High Commissioner on Human Rights, *Israel has committed genocide in the Gaza Strip, UN Commission finds*, 16 September 2025, <https://www.ohchr.org/en/press-releases/2025/09/israel-has-committed-genocide-gaza-strip-un-commission-finds>

related to the Palestine solidarity movement as ones that “incite hatred and threaten community safety.” The SRC, and the Palestine solidarity movement in New South Wales, stand strongly against antisemitism and know that there is a distinction between anti-Zionism and antisemitism.

The attack on and mischaracterisation of certain phrases used by the Palestine solidarity movement has a long history, but has largely been struck down – we saw this ourselves during the 2024 USyd Gaza Encampment when our USyd Vice-Chancellor and President, Mark Scott, wrote as the Chair of the Group of 8 Universities to the Attorney General to “to seek the Australian Government's authoritative advice as to whether the particular phrases "from the river to the sea" and "intifada" contravene Federal law”.¹⁰ It was clear to us that this letter was to serve as a reason to shut down the Gaza Solidarity Encampments around the country, for they were unable to prove that we were harming other students or staff, or that we were being antisemitic.

At the same time, our own Prime Minister was denouncing the slogan “from the river to the sea” when used by Gaza Solidarity Encampment protestors in Melbourne, claiming that “those chanting "from the river to the sea" would not be able to find the Jordan River on a map”.¹¹ The contempt of our government for pro-Palestine protestors and their eagerness to label them as stupid, ignorant, and hateful through the slogans we use is being seen again right now.

The focus on slogans and their meanings takes away from the real issues these slogans seek to draw attention to – genocide in Gaza, apartheid across historic Palestine, and both state and settler violence in the West Bank. At key points in time, like during our Encampment and now, our institution leaders and governments have spent more time denouncing protest slogans than actual crimes against humanity.

ToR (A) The threat that the use of phrases like "globalise the intifada" poses to community cohesion and safety and the importance of maintaining social harmony and cohesion;

ToR (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;

ToR (C) The need to protect communities from hatred, intimidation and violence:

¹⁰ Group of Eight Limited, 8 May 2024, https://www.aph.gov.au/-/media/Estimates/eet/Bud2425/Letter_from_Group_of_Eight_to_the_Attorney_General.pdf

¹¹ SBS & AAP, 'Couldn't find it on a map': Albanese's criticism of pro-Palestinian student rallies, 14 May 2024, <https://www.sbs.com.au/news/article/couldnt-find-it-on-a-map-albaneses-criticism-of-pro-palestinian-student-rallies/mep4qxajr>

As a body with a long history of activism and protest, the SRC is in a unique position to speak to the definitions, history, and contested meanings of certain slogans and phrases that we have spent years both using and defending. The main two targets are “intifada” and “from the river, to the sea, Palestine will be free” – conveniently an Arabic term and a metaphor, respectively, that allow for bad-faith actors to make adverse interpretations that demonise and silence protest.

Definition:

“انتفاضة”... (pronounced “intifada”) is an Arabic word with English translations. It is often used to describe protests, uprisings, rebellions, or a resistance movement for the purpose of freedom from oppression. The word also literally translates to “shaking/dusting off” or even simply “awakening”.

It is a word with a rich, diverse, and nuanced history. It is also a word that is widely misunderstood based on illogical premises, and likely because it is simply a word in Arabic. The Australian Palestinian Advocacy Network (APAN) and other bodies have widely reported on rising levels of anti-Palestinian racism and Islamophobia in the last couple of years – with recent reports suggesting Islamophobia has risen by at least 200 percent – and this demonisation of an Arabic word with a long history and wide variety of uses seems to fit into this worrying racist trend.

The Use of the Word “Intifada” has applied to many disparate movements opposing injustice and oppression throughout history.

1. “The Iraqi Intifada” – Iraq, 1952
2. “Western Sahara’s Zemla Intifada” – Western Sahara, 1970
3. “First Sahrawi Intifada” – Western Sahara, 1999-2004
4. “Second Sahrawi Intifada” – Western Sahara, 2005
5. “The First Intifada” – Palestine, 1987-1993
6. “The Second Intifada” – Palestine, 2000-2005
7. “Easter Rising” – Ireland, 1916
8. “Jeju Uprising” – South Korea, 1948-1949
9. “Warsaw Ghetto Uprising” – German-Occupied Poland, 1943

The Arabic translation of “Warsaw Ghetto Uprising” to “انتفاضة وارسو” (“Intifadat Warsaw”) is used across various sources, texts, and organisations – including the *US Holocaust Memorial Museum* up until recently, and as late as November 2023.¹²

The First & Second Intifadas

¹² Jason Beeferman, 22 June 2025, ‘Critics say Zohran Mamdani is antisemitic. He says he’s holding Israel accountable’, *POLITICO*, <https://www.politico.com/news/2025/06/22/critics-say-zohran-mamdani-is-antisemitic-he-says-hes-simply-holding-israel-accountable-00416388>

The term “intifada” is commonly historically associated most with the two popular uprisings against Israel’s occupation and apartheid in Palestine in 1987 and the early 2000s.

The “First Intifada of 1987” was a movement of mass protests and workers’ strikes which broke out in opposition to Israel’s occupation of the West Bank and Gaza strip, after the Israeli state’s murder of four Palestinian workers. It was an overwhelmingly nonviolent movement, largely consisting of grassroots civil disobedience actions such as strikes, boycotts, refusal to pay taxes, and mass demonstrations; although also encompassed confrontations such as stone-throwing after Israel’s attempts to violently crush the movement with live ammunition and mass arrests. In the end, the movement was violently suppressed by the state of Israel, culminating in the death of over 1000 Palestinians, the majority civilians (while approximately 1-200 Israelis, mostly soldiers, were killed). This civilian-led movement brought the term “intifada” into the mainstream via a popular resistance movement which shone a light on the plight of the Palestinian people.

The Second Intifada which started in September 2000 occurred in the context of an escalation in the occupation of Palestine; with a failing Oslo process, expanded Israeli settlements, and increased military presence in Gaza and the West Bank. It initially also started as a non-violent protest movement, but was met with lethal force which saw more than 100 Palestinians killed in the first few weeks. This led to a struggle which became much more militarised from early on, and saw the emergence of armed groups emerging alongside the civilian protests employing tactics like shootings and suicide bombings. The use of these tactics then and since have been widely contested and debated by Palestinians and activists sympathetic to Palestine around the world. In the end, the conclusion of these came with Israel’s use of extreme lethal military force for suppression, which saw the deaths of 3000 Palestinians, majority civilians and including hundreds of children.

Thoughts on “Intifada” movements:

Evidently, the use of the term intifada has been used in a variety of different contexts to refer to a variety of different movements throughout history around the world, with a disparate number of aims. The use of this term does not constitute an endorsement of particular strategies or tactics in the movement of opposition to Israeli apartheid and genocide, but is an umbrella term for a movement which has most frequently been characterised by its mass civil disobedience character, and the global solidarity movement it has inspired – much like the case of the movement against South African apartheid which Australian university students played an instrumental role in. There are many other umbrella terms which have similarly contested meanings which we can think of, such as “revolution”, “uprising”, or “resistance”. It would be ludicrous to suggest the criminalising of these words because of the potentially harmful way that some in the community may interpret them.

In the context of the global solidarity movement for Palestine over the last 2 years, the chant “globalise the intifada” and similar chants, can only be understood as a call for international

effort to spread opposition to Israel’s occupation and apartheid policies against Palestinians. Palestine activists who make this call are simply standing in the same tradition as those activists of the past who may have historically called to “globalise the *uprising* against South African apartheid”, or presently who call for “a climate *revolution* to address climate change”.

“From the river to the sea, Palestine will be free”:

“From the river to the sea, Palestine will be free” is a simple chant to us – we use it to call for freedom from occupation, genocide, and apartheid in historic Palestine, from the Jordan River to the Mediterranean Sea. While “from the river to the sea” has been used by the Palestine Liberation Organisation (PLO) and Hamas, it has equally been used by Zionists in reference to the project of ‘Greater Israel’ (a plan for extending the Israeli ethnostate from the Jordan to the sea) and in the 1977 election manifesto of the right-wing Israeli Likud party.¹³

A paper by Elhalaby, Esmat, Emon, Anver M., Paz, Alejandro, Roach, Kent & Rogin, Jillian, “From the River to the Sea: Palestine Will Be Free – A Primer on History, Context and Legalities in Canada” (2023) was referred to by the Superior Court of Justice, Koehnen J. July 2, 2024 in the case of the *University Of Toronto (Governing Council) V. John Doe*. This case reveals a similar case in Toronto to that at the University of Sydney, whereby our respective institutions first tried to shut down our encampments by (unsuccessfully) trying to determine them as antisemitic and violent, including by explicitly asking their respective legal systems to determine “From the River to the Sea, Palestine shall be Free” as antisemitic (clause 9).¹⁴ The judge referred to the 2024 Primer by Elhalaby et al. that the phrase is used across the political spectrum, including by “more moderate camps amongst both Israelis and Palestinians as reflecting a desire for a political solution that would allow both groups to live in freedom in either one or two states. This ultimately led the authors to conclude that the phrase’s “meaning is indeterminate at best”.¹⁵

The Primer repeatedly used by this Canadian Superior Court of Justice judge ultimately finds that:

“But as noted above, the complex history of the slogan precludes a simplistic reduction of this phrase to one meaning or another. The robust history of the phrase and the slogan suggest that these 10 words cannot be understood as inherently hateful or hate-promoting. Rather, that history, as examined in this Primer, demonstrates that those using this 10-word slogan generally

¹³ Daniel Boffey, 1 November 2023, “From the river to the sea’: where does the slogan come from and what does it mean?”, *The Guardian*, <https://www.theguardian.com/world/2023/oct/31/from-the-river-to-the-sea-where-does-the-slogan-come-from-and-what-does-it-mean-israel-palestine>

¹⁴ University Of Toronto (Governing Council) V. John Doe, 2024 ONSC 3755, *Ontario Reports*, <https://digital.ontarioreports.ca/ontarioreports/20240802/MobilePagedArticle.action?articleId=1998408#articleId1998408>

¹⁵ *Ibid*

*understand it as a call for recognition and change, deeply rooted in the quest for justice and freedom”.*¹⁶

It is extremely important to note that this phrase has both been repeatedly cast as promoting hate and subsequently, repeatedly found to not insinuate the reductive and bad-faith interpretation of promoting hate and violence that this committee inquiry and report presupposes. We can confidently say that when the SRC chants “from the river to the sea, Palestine will be free” students are not calling for the extermination of Jewish people from this geographical area, and any attempts to describe it as such are only a distraction which serves to discredit those calling for an end to the Israeli state’s genocide and apartheid of the Palestinian people.

How “intifada” and “from the river to the sea” are used:

When the SRC and others who protest alongside us use these terms, we do it knowing that they align with the goals of our movement; liberation and peace throughout historic Palestine. Below is an excerpt from an *Honi Soit* article covering a protest on Day 19 of the USyd Gaza Solidarity Encampment:

*Jane, a Baramadagal woman, gave the Acknowledgement to Country and then spoke to the refusal of Federal Attorney General Mark Dreyfus to give legal advice to universities about “intifada” and “from the river to the sea” slogans. Jane said she is “happy to give free advice” and just as First Nations people here say “from the mountains to the sea”, “from the river to the sea” is “not calling for the oppression of other people” but for the freedom to exist. She concluded by saying everyone has a “cultural, moral or civic obligation... even when words fail us”.*¹⁷

Traditional Custodians from across this continent have echoed these calls and affirmed the parallels and solidarity between Palestinians under Israeli occupation and First Nations people in so-called Australia. Jane drew the link between “from the river to the sea” used in the Palestine solidarity movement and “from the mountains to the sea” used by First Nations people here, outlining the commonality of the movements that do not seek violence or retribution, and rather call for “the freedom to exist” outside of occupation and discrimination.

Pro-Palestine slogans beyond the SRC:

¹⁶ Esmat Elhalaby, Anver M. Emon, Alejandro Paz, Kent Roach & Jillian Rogin, “From the River to the Sea: Palestine Will Be Free: A Primer on History, Context and Legalities in Canada”, *University of Toronto: Hearing Palestine*, 2023

<https://palestinestudies.artsci.utoronto.ca/wp-content/uploads/2023/12/2023-12-20-FRTS-Primer.pdf>

¹⁷ Valerie Chidiac, 11 May 2024, ‘Day 19 of USyd Encampment: standing in the rain and speaking in solidarity’, *Honi Soit*,

<https://honisoit.com/2024/05/day-19-of-usyd-encampment-standing-in-the-rain-and-speaking-in-solidarity/>

We have clarified the goals of our movement and the use of contested slogans targeted by this inquiry and others in the past, as we know many other groups have done and will continue to do. However, even if this were not to be the case, the banning of such phrases in an effort to curb antisemitism and extremist violence is not based on evidence. So far, there is no known connection between the two men who committed the Bondi massacre and the pro-Palestine movement in their home of New South Wales. While it is undeniable that certain people, particularly those who ascribe to the political ideology of Zionism, are often offended by the use of these phrases, that does not mean that the phrases are hateful, a threat to social cohesion, nor related at all to extremist antisemitic violence.

ToR (D) Australian and international examples of best practice to combat the use of such slogans, including measures and approaches taken in the United Kingdom;

ToR (E) The Australian Constitution and the implied freedom of political communication:

The idea of enforcing ‘civility’ (another term for ‘social cohesion’) and creating limitations around terms with “contested” words or phrases has already been entertained and implemented at the University of Sydney. This was one of the recommendations made by Bruce Hodgkinson SC in the Hodgkinson External Review Report, commissioned by the University of Sydney Senate in 2024 to review their policies and procedures following the end of the USyd Gaza Encampment.

Sarah Schwartz, Legal Director of the Human Rights Law Centre and Executive Member of the Jewish Council of Australia, wrote an article in December 2024 on these measures titled “Sydney Uni’s ‘enforced civility’ is an assault on free speech – and likely unlawful.” We reference our experience with the civility rule at USyd and its implementation despite widespread condemnation as it bears a striking resemblance to the Terms of Reference (ToR) and discourse around this committee inquiry and report regarding “social harmony and cohesion.”

Schwartz identified that the “civility rule” was the “most concerning” of Hodgkinson’s sweeping recommendations, and noted that “when questioned during a Senate inquiry [...], the university’s vice chancellor, Mark Scott, could not explain how this rule would work in effect”.¹⁸ As a university lecturer herself, Schwartz agreed with fellow academics that the rule was bizarre and a measure that would inevitably and unavoidably intimidate students and staff into silence. She outlined that the notion of “civility” has been used to justify violence and discrimination against First Nations peoples and that students with racialised identities are more likely to be affected by any so-called “civility rule”.¹⁹

¹⁸ Shwartz, Sarah. ‘Sydney Uni’s ‘enforced civility’ is an assault on free speech – and likely unlawful’. *Human Rights Law Centre*. 6 December 2024. <https://www.hrlc.org.au/updates/sydney-unis-enforced-civility-rule/>

¹⁹ *Ibid*

There is a significant amount of precedent around the freedom of speech and academic freedom not being curtailed by a need for respect or courtesy, for avoiding offense, or in the pursuit of ‘social harmony’. The 2019 review of freedom of speech at Australian universities by former Chief Justice Robert French and the University of Sydney’s own policy make clear that free speech does not require “shielding anyone from feeling offended or shocked by lawful speech”.²⁰ Similarly, the 2021 High Court case of *Ridd v James Cook University*, in a case involving academic Peter Ridd, unanimously ruled that academic freedom must allow speech that challenges “civil norms” and cannot be limited by a supposed “right” to respect or courtesy.²¹

Education, dialogue, anti-racism initiatives, and the use of existing criminal law are more effective ways to address hatred and violence than banning words or phrases. Broad slogan bans and the enforcement of ‘civility’ or ‘cohesion’ risk sowing more division and escalating conflict rather than reducing it.

Conclusion

As the peak body for undergraduate students at the University of Sydney and an organisation with a long history in the Palestine solidarity movement, the SRC hopes to contribute its knowledge of similar interrogations of phrases and slogans, of attempts to infringe upon free speech in the name of ‘civility’ or ‘cohesion’, and of the true meanings of such contested phrases and slogans by and around the SRC is seriously considered. Our experiences during and following the 2024 USyd Gaza Solidarity Encampment and the efforts of the University of Sydney to shut down Palestine activism through appeals to external bodies for recommendations that might find us antisemitic have striking parallels to the context for and Terms of Reference in this committee inquiry and report. These parallels serve as a warning for a continual pattern of attacks on the pro-Palestine movement through the guise of tackling hate speech, and also as a warning for the consequences for political freedoms and implied constitutional rights if those attacks are pursued. There is absolutely no evidence so far that there is any correlation between the use of phrases like “globalise the intifada” and “from the river to the sea” and the Bondi attack. We urge this committee to reconsider the assumed position from the Terms of Reference that presupposes phrases like “globalise the intifada” already as a “threat” to “community cohesion” which require combatting in legislation.

²⁰ *Ibid*

²¹ *Ibid*

Appendix 1: The University of Sydney Students' Representative Council's submission to the People's Inquiry into Campus Free Speech on Palestine, April 2025

Submission to the People's Inquiry into University Restrictions on Free Speech on Palestine

From the University of Sydney Students' Representative Council
(USyd SRC)

April 2025

Introduction

This submission is made by the University of Sydney Students' Representative Council (USyd SRC), the peak representative body for undergraduate students at the University of Sydney. The SRC upholds the rights of all students to freedom of speech, political expression, assembly, and academic freedom. We are alarmed at the increasing repression of pro-Palestine activism and speech on our campus, particularly since October 2023, and we believe that our university's conduct constitutes a serious breach of its obligations under human rights law, academic freedom protections, and its own stated principles.

Included is unique contributions for the SRC but as well collations from the SRC's collectives, tangential organisations, as well as those sourced from an SRC submission form which was available on social media.

This submission draws on a wide array of examples to demonstrate:

- The discriminatory enforcement of protest policies;
- The use of bureaucratic mechanisms to target pro-Palestine students;
- The climate of surveillance, fear, and silencing created by the university;
- And the urgent need for structural change and policy repeal.

1. Suppression of Free Expression and Assembly

Repeatedly, the Campus Access Policy 2024 has been used to shut down fair political demonstrations and even bake sale fundraisers on the topic of Palestine. One of the cases that comes to mind relates to the NTEU's National Day of Action for Palestine. This event involved speakers from many different groups and organisations, most of whom had no part in organising the demonstration. However, every speaker who was a student who spoke at the event was served a letter from the university's student affairs unit. The letter highlighted that the Campus Access Policy had been violated as this demonstration had been held without proper due notice, and that because such students spoke at the protest, they have been identified as potential organisers, hence the violation.

This case presents two examples of university policy being used to repress free speech. Firstly, the punishing of speakers at a protest who did not even organise such an action. This situation sets an awful precedent for future demonstrations and is a clear attack on free speech and expression. Speakers should not be punished for merely speaking. Secondly is demanding a specific type of notice. This day of action was advertised with many posters, flyers, social media, and postings on the online staff noticeboard. Yet speakers and organisers were punished because there was no effective notice. This is important because the organisers are politically against the campus access policy, yet are effectively forced to comply with it.

The CAP's requirement for notice of any demonstration is incompatible with international human rights standards, particularly those outlined in General Comment 37 of the UN Human Rights Committee, which emphasises the importance of spontaneous protest.

2. Surveillance and Targeting of Pro-Palestine Activists

The University of Sydney has cultivated an environment of surveillance and intimidation targeting pro-Palestine students and collectives. Notable examples include:

- Welcome Week 2025: The Queer Action Collective (QuAC) and the Autonomous Collective Against Racism (ACAR) were photographed daily and watched by security officers while displaying a "Queers for Palestine" banner. Other stalls were not subjected to this treatment.
- Encampment & Rally Crackdowns: Protesters were barred from key areas of campus. Students making announcements about Palestine in lectures were suspended. Leafleting was challenged by security, with students called "terrorists."
- Art and Symbol Suppression: Pro-Palestine murals in the Graffiti Tunnel were erased. Palestinian flags were banned from being displayed at the December Info Day.

These are not isolated incidents but part of a consistent pattern of disproportionate and discriminatory targeting of pro-Palestine expression.

3. The Case of Luna: Repression, Risk, and Refoulement

Perhaps the most egregious case is that of Luna, a transgender international student and asylum seeker from Malaysia. In January 2025, Luna wrote a series of non-permanent, erasable pro-Palestine statements on whiteboards using university-provided markers. These included factual statements about the death toll in Gaza and the university's ties to arms manufacturers.

For this, Luna was accused of breaching four university policies — including the CAP — and threatened with suspension, a sanction that would have triggered the cancellation of her student visa and potentially led to her deportation to danger, in violation of international protections against refoulement.

Despite knowing of her asylum seeker status, the University:

- Denied Luna's request to delay proceedings until she obtained a safer visa;
- Arbitrarily stretched policy definitions to categorise whiteboard messages as "property damage" and "unauthorised protest";
- Later claimed the suspension threat was an “administrative error” only after public pressure and media scrutiny.

Luna's case made national and international news. Over 1,300 students, staff, and community members signed an open letter demanding all misconduct charges be dropped. At the time of writing, Luna still faces potential disciplinary action — a shameful testament to the University's prioritisation of censorship over student safety.

The use of policy to intimidate a trans asylum seeker for peaceful political expression is not only unconscionable — it is inhumane, racist, and transphobic, and constitutes a gross violation of the University's duties.

4. Double Standards and Discriminatory Enforcement

We have observed clear unequal treatment between pro-Palestine and pro-Israel advocacy. Students supporting Palestine have been surveilled, banned from speaking in lectures, denied permits, and subjected to security intervention. No similar treatment has been applied to pro-Israel students or events. This indicates a politicised and discriminatory approach to enforcement.

5. Repressive Use of the IHRA Definition of Antisemitism

The University has repeatedly conflated pro-Palestine activism with antisemitism by referencing the IHRA definition. Posters written in Arabic have been labelled as

“potentially violent,” slogans like intifada have been banned, and university-wide emails have smeared student activists as supporters of terrorism.

This misuse of the IHRA definition has chilled legitimate political speech and dangerously mischaracterised criticism of Israel as hate speech — in contradiction to academic freedom and antiracist principles.

6. Disciplinary Injustice and Absence of Natural Justice

Disciplinary action under the CAP and other policies is:

- Opaque and inconsistent, with decisions made behind closed doors;
- Lacking procedural fairness, with little recourse for appeal or review;
- Exploited to intimidate, including the issuance of mass “warnings” before major protests such as the National Day of Action for Palestine on March 26 and the Trans Day of Visibility rally on March 30.

Students have received notices stating their participation in unauthorised activities will be considered in future penalties, despite such actions being peaceful and protected forms of expression.

7. Recommendations

We call on the Inquiry to urgently recommend:

1. Full repeal of the Campus Access Policy and all associated anti-protest measures.
2. Cessation of all current and pending disciplinary actions related to peaceful pro-Palestine expression.
3. Clear protections for spontaneous protest, as required by international law.
4. Rejection of the IHRA definition of antisemitism in policy or practice when it is used to suppress legitimate political speech.
5. Independent investigation into the case of Luna and a public apology from the University.
6. Proactive support and protection for marginalised students, including asylum seekers, trans students, and students of colour, from the use of disciplinary processes as tools of repression.
7. Establishment of an independent student-staff body to review future university policies that impact speech, protest, and student rights.

Conclusion

The University of Sydney has, through its policies and practices, cultivated a hostile environment for students who support Palestinian human rights. It has misused bureaucratic mechanisms to punish dissent, criminalised peaceful political activity, and endangered some of the most vulnerable members of our community.

This submission demonstrates a clear pattern of repression that demands urgent and systemic change. The University must be held accountable for the ways in which it has failed its students, violated human rights, and betrayed its own public commitments to justice, equity, and intellectual freedom.

Submitted by:

University of Sydney Students' Representative Council (USyd SRC)

April 2025