

**Submission
No 118**

MEASURES TO PROHIBIT SLOGANS THAT INCITE HATRED

Name: Professor Louise Crabtree-Hayes

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Dear committee

I am deeply concerned by NSW Premier Chris Minns' proposed changes to protest laws that would allow the government to restrict protest activity and the serious danger this poses to our democratic rights.

The right to protest is a fundamental democratic freedom, protected under international law. Australia is a party to the International Covenant on Civil and Political Rights (ICCPR). Article 21 of the ICCPR requires all governments to guarantee and respect the right to peaceful protest and to create an enabling environment within their jurisdictions for the exercise and enjoyment of that right. Governments and their agencies are required to protect all forms of peaceful protest regardless of where they happen or what form it takes. These protections are owed to all people, not just citizens, and must be provided to everyone free from discrimination of any kind.

The Human Rights Law Centre's Protest in Peril report from July 2024 found that the right to protest in Australia has been under attack from governments and institutions for the last 20 years, with NSW having introduced the most anti-protest laws of any state and the NSW Supreme Court having found in 2023 and in 2025 that parts of the NSW anti-protest laws are unconstitutional.

In the wake of the horrific antisemitic attacks at Bondi Beach in Sydney, I am distressed to see that at a time when the Australian public should be coming together, the grief and pain being felt by the Jewish community and wider Australian community is being weaponised to push racist political agendas. I am particularly troubled by the dissemination of dangerous and deceitful narratives that suggest these acts of violence are in any way related to the Palestine solidarity movement or the Australian Muslim community.

In the face of the horrific violence targeting the Jewish community in Sydney, the ongoing genocide Israel inflicts upon the Palestinian people in Gaza, and the ongoing Israeli apartheid regime across illegally occupied Palestine, I call on my representatives to step up and bring the public together, united against any and all forms of hate and bigotry.

Silencing protest will not create unity, social cohesion, or safety and it is of the utmost importance and urgency that we learn from our history and do not repeat mistakes of the past in which moments of fear or crisis are capitalised upon to justify gross acts of government repression and assaults on democracy.

It is imperative that our elected representatives:

- Publicly oppose expanding police powers to restrict protest.
- Reject any proposal to create protest bans tied to "terrorism designations".
- Defend the right to protest the crisis in Gaza and call for an end to the violence.

Now more than ever, NSW must protect democratic rights - not narrow them. I await your urgent response and confirmation that you will not support restrictions on protest activity.

I thank the Committee for the opportunity to comment.