



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON SOCIAL ISSUES

MEDIA RELEASE

INQUIRY INTO THE CRIMES AMENDMENT (DISPLAY OF NAZI SYMBOLS) BILL 2021

FOR IMMEDIATE RELEASE
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An Upper House committee has today tabled its report for the inquiry into [Crimes Amendment \(Display of Nazi Symbols\) Bill 2021](#) (the bill).

By proposing to insert a new criminal offence into the *Crimes Act 1900 No 40*, the bill seeks to criminalise the public display of a symbol of, or associated with, the National Socialist German Workers' Party, the Third Reich or Neo-Nazism (a Nazi symbol) except in certain circumstances, such as the public display of the Swastika in connection with Hinduism, Buddhism or Jainism. Additionally, the bill establishes an exemption process whereby the public display of Nazi symbols can be exempt from the application of the criminal offence if the President of the Anti-Discrimination Board considers the use reasonable and in good faith for academic, artistic, scientific, research or other purposes in the public interest.

The Chair of the Standing Committee on Social Issues, the Hon Don Harwin MLC, said "The committee supports the objectives of the bill to protect individuals and groups in our community who are hurt, offended or intimidated by the public display of Nazi symbols, as well as help protect the community against the rise of right-wing extremism. However, key issues with the practicability and enforceability of the bill's provisions were raised by stakeholders, namely in relation to the proposed exemption process and the ban's application to social media. Additionally, the questions raised during the inquiry regarding the appropriate level of intent required to constitute the proposed offence requires further examination".

Mr Harwin continued, "For these reasons, the committee agreed that before the Legislative Council proceeds to debate the bill, the committee comments and stakeholders' views expressed in the report should be addressed. In particular, the bill should be amended to take account of the issues they raised in relation to the proposed exemption process by the President of the Anti-Discrimination Board and the prohibition on the public display of Nazi symbols to apply on social media platforms".

The committee's report and other inquiry related documents can be found on the committee's website [here](#).

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For further information please contact Committee Chair, the Hon Don Harwin MLC, on 9230 2534