

INQUIRY INTO ANTISEMITISM IN NEW SOUTH WALES

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Partially
Confidential

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Committee Secretary
Portfolio Committee #5, Justice and Communities
6 Macquarie St,
Sydney NSW 2000

Dear Committee Secretary,

Submission to Inquiry to antisemitism in New South Wales

I make this submission in a personal capacity.

Antisemitism in New South Wales has emerged in two distinct yet equally pernicious forms. There is “active antisemitism”, fuelled by hatred of Jews which results in violence or threats to do violence. The second is a “passive antisemitism” which exists wherever those with power to speak against Jewish hatred are silent.

Given the large amount of public attention on active antisemitism, examining passive antisemitism is a crucial part of the work of this inquiry as the existence of this form of antisemitism allows Jewish hatred to grow and permits the conceptual and intellectual space for violent threats and actions against Jews.

This submission will focus on the passive antisemitism which has taken hold in government institutions with a specific focus on schools and universities.

It is my submission that this institutional lack of response to passive antisemitism has enabled the more public acts of antisemitism to occur and that responsibility lies with our elected leaders as well as those who are responsible for administering public institutions.

The question which should run through the mind of policymakers whenever there is an incidence of active antisemitism is: would this violence or vandalism have been likely to occur had those in positions of responsibility been more active in eradicating the passive antisemitism in their midst?

Had there been serious attempts to combat passive antisemitism, we would not have seen the levels of Jewish hatred we see today manifesting in our community and distressingly in our hospitals and schools.

This submission will also make brief remarks regarding privacy arrangements around public information that may identify an individual or their address.

Anti-zionism and antisemitism

To provide context to the issue of antisemitism, I must deal with the question of anti-Zionism and its relationship to antisemitism as well as the accusations of an Israeli genocide in its war against Hamas.

Both of these issues go towards the experience of antisemitism in New South Wales. Significant emphasis is placed by those perpetrating antisemitism is that they are not antisemitic, only anti-Zionist. I will illustrate how this assertion is no shield against antisemitism and much anti-Zionist rhetoric is veiled antisemitism.

The second issue is that Israel is committing crimes against humanity, specifically a genocide, in its war against Hamas. This is an assertion which is dangerously antisemitic as it implies that supporters of Israel in Australia - particularly Jews - are complicit and enabling of genocide.¹ This accusation is often used to justify active and violent antisemitism in New South Wales.

I make these arguments to illustrate the evolving nature of antisemitism in Australia and to delineate it from legitimate criticism of the Israeli government.

Zionism

Zionism is the belief that Jewish people have a national identity and the right to self-determination, manifested currently in the modern State of Israel. It does not make pre-determinations on the national aspirations of the Palestinian people nor does it imply an obedience or servility to Israeli government policy.

I have made criticisms of Israeli policy in the past and will continue to do so. I consider it to be in the highest ideals of Zionism that Israel is Jewish *and* a democratic state and that criticism of governments anywhere are legitimate expressions of free speech and thought.

Criticism of Israel is not *prima facie* antisemitic and indeed there has been open criticism from Jewish leaders here in Australia of laws and conduct in Israel - most notably in regards to the reform of the Israeli Judiciary in early 2023.^{2 3}

In the context of this inquiry, much will be made about actions which are defended as merely 'anti-Zionist' criticisms of Israel rather than antisemitic expressions of racial hatred.

¹ See: Goda, Norman JW. 2025. "The Genocide Libel: How the World Has Charged Israel with Genocide." ISCA Research Paper 2025-3, accessed from:

<https://isca.indiana.edu/publication-research/research-paper-series/norman-jw-goda-research-paper.html>

² <https://www.ecaj.org.au/joint-ecaj-and-zfa-statement-about-the-israeli-judicial-reforms-2/>

³ <https://www.zfa.com.au/zfa-statement-on-passing-of-reasonableness-standard-law-in-israel/>

This is problematic as anti-Zionism is, definitionally, an opposition to Zionism and, unless the speaker is also similarly opposed to the concept of any nations, nationhood or self-determination, then it must also be assumed that the speaker is opposed to *Jewish* self-determination and the comments must then be seen in the light of a *specific* distaste of Jewish aspirations to nationhood - making this a form of antisemitism.

The danger of this attitude can be seen by applying this standard to other nations. For example, one may quarrel with the actions of the Chinese or Indian governments without simultaneously calling for the end of China or India or Chinese or Indian nationhood.

But it appears that only those who quarrel with the actions of the *Israeli* government can, uninhibited, call for the eradication of *Jewish* nationhood.

This is a double standard.

Of course, each statement about any country, nation or government should be viewed on its merits but unfortunately much if not all 'anti-Zionist' discourse appears to be antisemitic in and of itself, or antisemitic in the sense that it denies the legitimate national aspirations and obligations of Israel.

The claim of Israel committing genocide

The conflict in Gaza and Southern Israel is a war. It is a tragedy. In warfare there is death including the deaths of civilians. To suggest, however that the deaths of civilians constitutes a genocide is to deliberately misunderstand the definition of genocide, ignore relevant facts on the ground and to do so in aid of a deeply antisemitic trope.

The accusation of genocide is incorrect and insisting that Israel is perpetrating one is antisemitism - a particularly gross example given the history of the Jewish people.

Without going into a wholesale discussion of the definition of genocide it is killing or other acts, "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group".⁴

Former President of the International Court of Justice (ICJ), Joan Donoghue, the President of the ICJ during the initial hearings of *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)* in an interview with the BBC said unequivocally that the

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https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

findings of the International Court of Justice, “didn’t decide that the claim of genocide was plausible...the shorthand that often appears which is that, “there is a plausible case of genocide” isn’t what the court decided.”⁵

The genocide accusation is repeated often in the hope of finding credence. The accompanying imputation is that Israel’s supporters - in particular Jews - are therefore ‘pro-genocide’. This has had the effect of making Jewish Australians appear daemonic and underpins the justification for violent action against them.

It must therefore be a matter of consideration by this committee that these claims of genocide form a new type of antisemitism - a hatred which has found many forms before this - and instances of such accusations of genocide should be considered by this committee under the terms of reference.

Universities and Schools

Encampments and Protest Activity

Initially, I had believed that the nadir of antisemitism in Australia was embodied in the inane, unoriginal, childish, unlawful and self-indulgent encampments on university campuses, including and in particular at the University of Sydney.

These encampments were neither exercises of academic freedom nor were they defensible on the grounds of free speech or association. They were an unlawful trespass on university lands existing contrary to the object and functions of universities as well as existing contrary to university discipline rules.

The result of these encampments was the creation of an environment of fear for Jewish students and a new Jim Crow sequestering Jewish students away from their peers and denying them freedom of access and movement around campus, privileges which their non-Jewish peers retained.

For clarity, not all protest or political activity reaches the threshold of misconduct under campus rules for being intimidatory, harassing or bullying. Protests can and often are peaceful expressions of different viewpoints. Protests which question Israeli government policy or call for accountability from governments of any stripe or character are appropriate and acceptable discourse in our free society.

However, protests which call for the eradication of Jewish nationhood, the denial of Jewish self-determination, which characterise Jews as ‘thieves’, cite blood libels that Israelis are genocidaires and baby-killers, which call for the globalisation of terrorism against Jews, the glorification of terrorists and the ethnic cleansing and elimination of Jews from particular geographies are *not* appropriate, contravene various university and public sector employment rules against harassment, racial

⁵ BBC Hardtalk with Stephen Sackur, 26/04/2024, accessed from: <https://www.bbc.co.uk/programmes/m001yplc>

and religious vilification and would not be considered socially acceptable if such calls were directed at other nationalities or religions.

University administrators, who should have known better, have let certain students think that they can selectively obey university rules and the laws of this nation so long as the laws and rules they were breaking were done so in the name of the popular social protest of the day.

The lack of accountability from university administrations and the absence of consistently applied consequences for rule-breaking has been a depressingly consistent feature of almost all universities' reaction to this phenomenon.

I have, through Government Information Public Access (GIPA) requests, sought information about what various university administrations have done to prevent antisemitism and protect their Jewish students from harms including harassment, humiliation and intimidation.

It appears to me that university administrations have done the bare minimum to prevent antisemitism and ensure safety of Jewish students and staff.

Given the limitations of my personal inquiries - that they are not a comprehensive, systemic examination of the issues with the ability to compel evidence, cross-examine witnesses or obtain unredacted copies of documents - there is an innate difficulty in receiving any meaningful information and hence any accountability from universities in New South Wales regarding their actions to identify, discourage and eliminate antisemitism from their institutions.

I submit the following as a case study to the inquiry.

University of Sydney

For two months in 2024, the focal point of antisemitism and the gathering point for antisemites in New South Wales was on the front lawns of the University of Sydney. It attracted not only students from the University but many others, non-students, staff and antisemitic activists from all around the state.

From late April to mid June 2024 Jewish students found themselves strangers on their own campus. The encampment and its activities generated considerable media attention and the actions of those at the encampment drove a media narrative which developed throughout the state normalising a view that Jews in Australia supported 'genocide'. As outlined in Annexure B, this is a highly inappropriate and antisemitic accusation.

The specific impact this had on Jewish students and staff at the university is still being assessed. Court cases are still pending. The wounds of this event are still

raw and fresh in collective memory. Much has been written about this and I will leave it to those more closely affected to discuss the active antisemitism they saw and experienced there.

I note the University of Sydney administration acknowledged their failures regarding their conduct towards Jewish students and offered an apology - an apology which I believe was sincere albeit woefully belated.

The impact of these events reverberated across New South Wales and must be examined given the failure of the University administration to understand how their permissive antisemitism affected the rights of Jews not only at the University of Sydney but how their inaction and quiescence to antisemitism contributed to a less socially cohesive New South Wales and Australia.

A foundational misunderstanding of academic freedom

The general theme of the response of the University of Sydney to their encampments in 2024 was a permissiveness based on a mistaken belief that the encampments represented a representation of academic freedom.⁶

This is not correct. The idea that there is an innate freedom to camp on university grounds is a fallacy, as is the notion that everything which occurs on a university campus is somehow related to academia and therefore attracts the protections for academic freedom.⁷

Former Chief Justice of the High Court of Australia and author of the Model Code on Freedom of Speech and Academic Freedom, The Honourable Robert French AC, when questioned on the matter of encampments by the Federal Parliament's Joint Standing Committee on Human Rights was more explicit, "There is no right to come onto university lands and set up a tent or any other form of encampment. So it's not a question of a freedom which can be constrained; it's a question of a freedom which doesn't exist to begin with."⁸

The University of Sydney therefore should not have had any initial instinct to permit this intrusion onto their campus.

However, such was the bias of senior executives to permit the encampments that on the 23rd of April, 2024 - the day that the University of Sydney encampment began - the Chief Risk Officer (CRO) of the University emailed a number of senior executives including the Provost and the Office of the Vice-Chancellor saying that

⁶ Acting Vice-Chancellor Annamarie Jagose, Message to students, 24 April 2024, accessed from:

<https://www.sydney.edu.au/news-opinion/news/2024/04/24/statement-regarding-peaceful-protests-on-campus.html>

⁷ <https://www.sydney.edu.au/news-opinion/news/2024/04/24/statement-regarding-peaceful-protests-on-campus.html>

⁸ Robert French AC, Parliamentary Joint Committee on Human Rights, 12/12/2024, Antisemitism at Australian universities, accessed from:

<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;db=COMMITTEES;id=committees%2Fcommjnt%2F28661%2F0004;query=Id%3A%22committees%2Fcommjnt%2F28661%2F0000%22> at 10/03/2025

the first and key message that they should send was the University's support for the academic freedom of the campers.

It is worth mentioning that this same email from the CRO made no mention of the potential for harm that might come to Jewish or Israeli students or staff at the university from the encampment or the campers.⁹

Persistent non-compliance with rules

This initial message to the University of Sydney community was amended to include language that outlined what was deemed 'unacceptable conduct'. This read, in full:

"Unacceptable conduct includes:

- *disruption of lectures and classes, preventing other students from learning*
- *harassing or intimidating staff and students who may hold a different view or simply do not wish to engage in protest or debate*
- *preventing free movement around campus*
- *damage to property."*¹⁰

I have reproduced this excerpt as over the course of the encampment every enumerated instance of 'unacceptable conduct' set out by the University was violated by the campers.

Every single one of these red lines were crossed by those organising and participating in the encampment yet the University did not act to remove the encampment from the campus.

Lectures were disrupted by students associated with the encampment.¹¹

Staff were physically assaulted¹² or impeded in the course of their duties.¹³

⁹ Email from Nisha Padmanabhan, 23/04/2024, Subject: "Student encampment planning - actions" obtained under GIPA

¹⁰ Acting Vice-Chancellor Annamarie Jagose, Message to students, 24 April 2024, accessed from:
<https://www.sydney.edu.au/news-opinion/news/2024/04/24/statement-regarding-peaceful-protests-on-campus.html>

¹¹

<https://www.smh.com.au/national/nsw/sydney-pro-palestinian-students-suspended-after-classes-significantly-disrupted-20240523-p5jg41.html>

¹² Email from Lauren Macauley, 30/04/2024, Subject: "Student encampment planning - #10" obtained under GIPA

¹³ Email from Jordon Wong, 8/05/2024, Subject: "RE: Operational Response Group - Student Encampment" obtained under GIPA

The encampment was a fire hazard preventing the free movement of all around campus in particular emergency egress from the Quadrangle building as noted by both Fire & Rescue NSW¹⁴ and the University itself.¹⁵

The encampment also prevented the free movement of Jewish students on campus, from the enjoyment of the lawns and to and from their academic obligations including, it would appear, their exams.¹⁶

From at least the 1st of May it was clear that the sandstone of the Quad was being damaged¹⁷ and from 23rd of May 2024 it was clear that the encampment had damaged the University lawns¹⁸ and campers were engaged in conduct that in the words of Professor Mark Scott AO, “fails every WHS test”.¹⁹

Despite this diligent non-compliance with any of the directives set out by the University at the commencement of the encampment, the University did nothing to remove the source of the antisemitism - namely the encampment - until it became an issue for the University’s ‘core’ operations in mid-June.

Diminution of antisemitism

The University of Sydney used a problematic formulation of words in calling out antisemitism. “Today, I reaffirm our commitment to freedom of expression and our zero tolerance for any form of racism, threats to safety, hate speech, intimidation, threatening speech, bullying or unlawful harassment, *including antisemitic or anti-Muslim language or behaviour*.”²⁰ (emphasis added)

There is an astounding illogic to the continual pairing of antisemitism with anti-Muslim sentiment.

To begin, there was no indicia at any point prior to this message being sent that there is a contemporary and systemic problem of anti-Muslim hatred at the University of Sydney evidenced by the presence of Sydney University Muslim Students Association freely and openly occupying the most prominent sections of the University campus.

Conflating the two issues diminishes both as serious, systemic issues in and of themselves and, as Julian Leeser MP has noted, “creates some sort of narrative

¹⁴ Letter from Stephan Netting to Mark Scott, 24/05/2024, Subject “THE QUADRANGLE – BUILDING A14 – UNIVERSITY PLACE THE UNIVERSITY OF SYDNEY” obtained under GIPA

¹⁵ Email from Jordon Wong, 8/05/2024, Subject: “RE: Operational Response Group - Student Encampment” obtained under GIPA

¹⁶ Email from Lauren Macauley, 14 May 2024, Subject: “Student encampment planning - #20”, obtained under GIPA

¹⁷ Email from Lauren Macauley, 1 May 2024, Subject: “Student encampment planning - #11”, obtained under GIPA

¹⁸ Email from Rachel Gale, 23 May 2024, Subject: “RE: Line marking at the Quad” obtained under GIPA

¹⁹ Email from Mark Scott AO, 17/06/2024, Subject: Re: Operational approach for this afternoon and tomorrow, obtained under GIPA

²⁰ Vice Chancellor Mark Scott AO, message to students 1 May 2024, accessed from: <https://www.sydney.edu.au/news-opinion/news/2024/04/24/statement-regarding-peaceful-protests-on-campus.html>

which is deeply dangerous for our social harmony of Jewish-Muslim conflict here in Australia”²¹ as it implies a conflict inherent between Jews and Muslims.

The University of Sydney leadership continued to use this formulation of words throughout all their communications with the university at large.²² This created the impression that there was a simultaneous crisis of both antisemitism and Islamophobia at the university.

Yet it was only Jewish students who the university was seeking to sequester away from their peers as they were denied access to sections of the university.

Separating Jewish students from their peers

Shamefully, the University of Sydney took the view that to separate Jewish students from their peers was the most effective way of ensuring their safety - both physical and psychosocial.

In multiple emails obtained under GIPA the University appears to have taken the view that the path of least resistance would be to have Jewish students kept out of sight and segregated away from their peers.

A May 2024 email minutes of a discussion amongst university executives reveal that the university contemplated “Mitigations include ensur[ing] that Jewish students have ways to avoid the encampment when gaining entry to exams.”²³

Despite their good intentions - to protect Jewish students - that university executives contemplated separate entries for Jewish students to exam rooms is an impossibly shameful racist enterprise.

As a society, would we accept separate entries to buildings for Asian or Aboriginal students? We would not. We acknowledge that notions of “separate but equal” is not equality at all. What university executives were engaged in through this process was, likely inadvertently, a new form of Jim Crow.

The University acknowledged the genuine fear of Jewish students - in particular those who publicly identify as Jewish - that they were not safe on campus. But Instead of doing the reasonable thing and removing the encampment, the most obvious impediment to the Jewish students' free movement around campus, they sought instead to segregate Jews.

²¹ Leeser, Julian, “Motion to suspend standing orders to debate the Private Members Bill to establish a judicial inquiry into antisemitism on campus” Australian Parliament, House of Representatives, 6/6/2024

²² <https://www.sydney.edu.au/news-opinion/news/2024/04/24/statement-regarding-peaceful-protests-on-campus.html> In every one of the six mentions of ‘antisemitism’ there is a simultaneous mention of Islamophobia or ‘anti-Muslim’ hatred.

²³ Email from Lauren Macauley, 14 May 2024, “Student encampment planning - #20”, obtained under GIPA

The University, in preventing their Jewish students on the basis of their religion from having full access to the campus likely breached the *University of Sydney Act 1989*, s 31 of which requires that “A person is not, because of his or her religious or political affiliations, views or beliefs, to be denied admission as a student of the University or to be taken to be ineligible to hold office in, to graduate from or to **enjoy any benefit, advantage or privilege of the University.**”²⁴

The University of Sydney is proud of its lack of a religious test, but this abrogation of their foundational act is a sad reminder of how much they appear to have failed their students.

Psychosocial harm

The Chief Risk Officer of the University of Sydney was aware as early as April 26, 2024 - four days into the encampment - that there was a risk of psychosocial harm to Jewish students.

Emails released under GIPA show the CRO emailing multiple senior executives at the University including the office of the Vice-Chancellor and the Provost noting that, “Reports from Jewish community increasing that presence of protest is seen as intimidating and impacting psychosocial safety”,²⁵ yet it was not until Monday the 13th of May - some seventeen days later that Executives from the University discussed the potential for psychosocial harm with SafeWork

As far as I can ascertain from documents released to me, these risk assessments performed by the University did not cover psychosocial safety as a risk and the University did not act on these concerns when raised in May 2024.

A complaint made to Safework by University of Sydney staff in late August 2024 reportedly led to a change in attitudes by University leadership.²⁶ One can only lament that if the University had been serious about the protection of its Jewish and Israeli stakeholders when this was initially raised that we may not be in this position of picking over the ashes of a complete moral collapse on the part of University leadership and management.

The blind eye to Hizb-ut-Tahrir

²⁴ *University of Sydney Act 1989 (NSW)*, s31

²⁵ Email from Nisha Padmanabhan, 26/04/2024, Subject: “RE: Student encampment planning - #4”

²⁶

<https://www.theaustralian.com.au/nation/university-of-sydney-jewish-staff-make-workplace-claim-against-vicious-racist-campaign-on-campus/news-story/b91907a8ecbfa9c2d9d229ef8125f2f2>

Hizb-ut-Tahrir are an extremist group whose leaders in Australia have said things such as, "Moral corruption is linked to the Jews. Prostitution in the world began with the Israelites"²⁷ and "'a man is permitted to hit a woman as an act of discipline".²⁸

They are a gross, racist, sexist, bigoted, illiberal, violent and antisemitic group of misanthropes who have no business at a serious place of higher learning.

The University of Sydney was told in late May of 2024 that *Hizb-ut-Tahrir* were present and active at their encampment. The tip-off came from a reputable source in the Jewish community known to the office of the Vice-Chancellor.

The tip was made through a phone call to Darren Goodsir, Chief-of-Staff to the Vice-Chancellor, who referred to it in an email dated 21 June 2024.

In that email Mr Goodsir claimed that he had passed the tip along to the "Protective Services division, who also liaise regularly with police and other relevant security agencies".²⁹

In all GIPA returns in which I requested all emails mentioning "*Hizb-ut-Tahrir*" or variations of that there was no evidence of any email, note or any other communication made from the office of the Vice-Chancellor to the Protective Services division.

The minutes from the daily meetings regarding the encampment illustrated no awareness on the part of the University leadership that they had an extremist group present on their campus until after the reporting from Nick McKenzie from the Nine papers on 16 June 2024.

The minutes of conversation on 20 June 2024 following the revelations by Nick McKenzie mis-stated that the group on campus was "Lebanese group *Hezbollah* (currently on the UK's list of banned 'terrorist' organisations)".³⁰ The misstatement of the group involved suggests that the University leadership had not satisfied themselves of the veracity of the tip-off they received in late May and were then confounded by the reporting from Nine papers.

The response by NSW Police to a Question on Notice in the NSW Parliament about NSW Police's knowledge of *Hizb-ut-Tahrir* on the University of Sydney Campus specifically said that at no stage did anyone from the University of

²⁷ <https://www.memri.org/tv/australian-islamist-leader-ismail-al-wahwah-incites-wage-jihad-against-jews-they-are-most-evil>

²⁸ <https://www.news.com.au/lifestyle/relationships/marriage/hes-permitted-to-hit-her-alarming-video-appears-to-condone-domestic-violence/news-story/f6f517cac59eccad98e0768d4604feb0>

²⁹ Email from Darren Goodsir, 21/06/2024, Subject: RE: Hizb ut Tahrir investigation -- requesting clarity obtained under GIPA

³⁰ Email from Lauren Macauley, 20/06/2024, Subject: Student encampment planning - #27 obtained under GIPA

Sydney inform the NSW Police about the presence of *Hizb-ut-Tahrir* on their campus.³¹

Assertions by the Vice-Chancellor Professor Mark Scott AO in Budget Estimates on 4 September 2024 and 10 March 2025 that the University had referred their concerns about *Hizb-ut-Tahrir* to Police in May when this issue had been raised appear not to stand up to scrutiny.

Additionally Professor Scott has been proffering a red herring to the Parliament by insisting that the Police had never raised with the University any concerns about extremists on the University campus. With respect to the Professor, it is not for Police to provide this advice to the University of Sydney, particularly when the University itself was in possession of a credible suggestion that *Hizb-ut-Tahrir* were on their campus.

Regarding the assertions made that the tip was dealt with, it may be that the University handled this issue exclusively through verbal discussions between the Office of the Vice-Chancellor and Protective Services. If this were the case it would be astonishing given the plethora of other recorded discussions, emails and minutiae which occupied the interest of the University leadership regarding the encampment.

I must conclude that it is doubtful that the University acted on warnings given and it was only when it became a major scandal did they act to satisfy themselves of the identities and affiliations of those who were on its campus.

In summation, the University ignored the warnings from the Jewish community that an organised group of racist, sexist, bigoted, illiberal, violent and antisemitic thugs were present and openly organising on their campus. When confronted by this Parliament with their shameful inaction they blamed NSW Police and hid behind declarations of process - a process which they cannot show they followed with any contemporaneous notes.³²

Recommendations

- Regarding universities in New South Wales, I recommend that they continue to be called on a permanent basis to separate hearings of the Legislative Council's Portfolio Committee No. 3 - Education to account for themselves and their actions.
- I recommend that the New South Wales Government amend the *University of Sydney Act 1989* to include consequences for the University for failure to

³¹ <https://www.parliament.nsw.gov.au/lc/papers/pages/ganda-tracking-details.aspx?pk=100464>

³² NSW Budget Estimates, 4/09/2024, PORTFOLIO COMMITTEE NO. 3 – EDUCATION, page 42

meet their legislated obligations - particularly in regards to the need to ensure no religious tests or political discrimination.

- I also recommend that the NSW Government amend the acts of other universities under its responsibility to include similar provisions to ensure no religious or political tests are required for the full enjoyment of the privileges of a university.
- I recommend that the NSW Government amend the *Inclosed Lands Protection Act 1901* to include universities as 'prescribed premises' under the act.

Schools

Schools in New South Wales should be apolitical places of learning which prepare students for life and the prospect of further study.

We as a society repose in teachers a significant responsibility to teach methods of critical thinking and problem solving so that they may, in their own way, come to better understand the world.

Education should be apolitical and devoid, as much as possible, from any biases or ideological instruction. In short, schools should not be used as a vehicle to the ideological objectives of teachers for any purpose.

There are significant pedagogical issues with the NSW curriculum with respect to teaching of the Holocaust and Jewish history in general.³³ This permits bad actors to interpose themselves in the teaching of current events and recent history.

Unfortunately, a small group of teachers in NSW Government schools have done just this and are bringing their political views into schools and the classrooms with an explicit goal to indoctrinate those for whom they are responsible.

These teachers, under the banner of "Teachers and School Staff for Palestine", have been persistent in breaches of the NSW Code of Ethics and Conduct for NSW Government Sector Employees, the NSW Department of Education Code of Ethics and Conduct and the Controversial Issues in Schools policy.

They have maintained a misguided political campaign on school grounds and with departmental resources that there is a genocide of Palestinians occurring in the Middle East at the hands of the Jewish state.

³³ My attempt at brevity does not permit a full examination of this issue but I encourage the Committee to seek out the report from the Blueprint Institute on "An examination of antisemitism in Australian schools" accessible from: <https://www.blueprintinstitute.org.au/antisemitisminschools>

Given the risks to radicalisation in NSW Schools, this cannot be dismissed as teachers merely expressing their political views. It is creating the intellectual environment for a radicalised student to justify violence against others.

These teachers have perpetrated a repeated misfeasance in their teaching and instruction to students in the context of an extreme upsurge in violence and harassment against Jews in New South Wales. The actions of these teachers is therefore contributing to an environment of normalising Jewish hatred and violent action against Jews on the basis that Jews are supportive of a genocide.

The recent decision in *Kaplan v State of Victoria (No 8) [2023] FCA 1092* held the State of Victoria to be vicariously liable for bullying and harassment that Jewish students experienced at Brighton Secondary College.³⁴

The lack of action on the part of the Department of Education to prevent this group from operating in contravention of established departmental policies may hold the State of New South Wales open to potential claims in negligence or under the Commonwealth *Racial Discrimination Act 1995*.

Teachers for Palestine

A group holding itself out as “Teachers and School Staff For Palestine - NSW” have been vocal and public in their view that “Classrooms are spaces of public inquiry and cannot be divorced from global or domestic political events.”³⁵

They have a public Facebook,³⁶ Instagram and³⁷ Twitter³⁸ where they post content during school hours including encouraging their adherents to conduct protests in NSW government schools while at schools.

There is a clear intention on the part of this group to politicise the classroom and radicalise students in favour of one particular political worldview, namely, that Israel is committing a ‘genocide’ in Gaza.

As Annexure B illustrates, this is extremely dangerous. Not only that it is wrong in fact, but it also has the propensity to make Jewish Australians out as daemonic as they are - in the main - supporters of Israel’s right to exist and to defend itself.

That there are significant numbers of educators who are indoctrinating their students to view of Jewish Australians as genocide enablers is a very imminent and dangerous threat to social cohesion.

³⁴ *Kaplan v State of Victoria (No 8) [2023] FCA 1092*, paragraph 204

³⁵ <https://drive.google.com/file/d/1kQga1rr8XKeezIB6THy0GSvj0QU1IHLy/view>

³⁶ <https://www.facebook.com/T4PNsw>

³⁷ www.instagram.com/%2Fteachers4palestine_nsw%2F%3Fhl%3Den&is_from_rle

³⁸ <https://x.com/Tchrs4PalstnNSW>

It establishes a generation of school students who are being taught that they can justify violent acts against Jews here in Australia as Jewish Australians are genocidaires.

This begs the further question of whether any Jewish students in any of the schools where Teachers for Palestine operate have found themselves less likely to identify themselves as Jewish in their classrooms or whether they have been subject to bullying or harassment.

Frustratingly the Department of Education views the action of “Teachers for Palestine” as being “minor breaches of the code”.³⁹ This is an inappropriate way to view persistent and widespread rulebreaking amongst teachers and the Department should be called on to explain their view of persistent breaches of the codes for Professional Standards and Ethics to this inquiry.

October 2024 ‘Week of Action’

In October 2024 Teachers for Palestine circulated a call to action to their social media pages for their followers to undertake a ‘Week of Action’ in opposition to “Australia’s backing of the genocide in Gaza”. Their specific call to action was to “Wear your keffiyeh, badges and other Palestine symbols and make Palestine visible, push back attempts to silence discussion of the genocide.”⁴⁰

Further actions suggested were to, “Try hosting a Watermelon Wednesday, displaying Palestinian and Lebanese Flags...taking group photos... **Any action is a positive step for our students.**”⁴¹

From this material it is clear that the teachers concerned were intending to promote a myth of a Palestinian ‘genocide’ to their students and from the photos posted to their social media that they did so within school grounds, proximate to school grounds, in the presence of school students and on school time.⁴²

I refer again to Annexure B of my submission regarding the inappropriateness and antisemitic character of accusations of genocide against Israel.

This political activity was not isolated away from students. It appears that this political activity took place within school classrooms and in some cases in the presence of students.⁴³

³⁹ NSW Budget Estimates, 25/02/2025, PORTFOLIO COMMITTEE NO. 3 – EDUCATION, Answers to Questions on Notice, page 16.

⁴⁰ <https://www.facebook.com/photo.php?fbid=122167461986098915&set=pb.61552967461533.-2207520000&type=3>

⁴¹ *ibid.*

⁴² Annexure A, pages 2-20

⁴³ Annexure A, page 12

These were not a few isolated incidents. Teachers for Palestine claimed that there were “around 40 schools participating”⁴⁴ in their event. Photo evidence from Teachers for Palestine suggests a widespread engagement although this number cannot be verified.

The October 2024 ‘Week of Action’ appears to breach section 5.1 of the Department of Education Code of Ethics and Conduct⁴⁵ and section 2 of the Controversial Issues in Schools Policy.⁴⁶

Harmony Week 2025

In March of 2025, Teachers for Palestine again engaged in political conduct relating to the observation of “Harmony Week” in New South Wales Schools.

Teachers for Palestine publicised multiple events where teachers posed in front of material for Harmony Day with charged political slogans accusing Israel of genocide.⁴⁷

This deliberate targeting of Harmony Day and its misuse to make accusations of genocide is inappropriate and diminishes the social cohesion value of something like Harmony Day. That teachers would politicise this event with an antisemitic trope is disturbing on two levels.

This event was organised openly on the Teachers for Palestine social media channels and could be viewed by any interested person from the Professional and Ethical Standards section of the Department of Education.

The Harmony Week 2025 activities from Teachers for Palestine appear to breach section 5.1 of the Department of Education Code of Ethics and Conduct⁴⁸ and section 2 of the Controversial Issues in Schools Policy.⁴⁹

Misuse of Departmental Resources

Teachers for Palestine operate a closed Whatsapp group where they coordinate actions they take in NSW schools. I have been provided with a Whatsapp conversation suggesting to me that Teachers for Palestine are using NSW Government emails to facilitate the management of their Whatsapp group.

Access to the group is restricted because of concerns relating to ‘infiltration’ by ‘Zionists’. In order to access the group, the representative from Teachers for

⁴⁴ Annexure A page 21

⁴⁵ <https://education.nsw.gov.au/policy-library/policies/pd-2004-0020-01>

⁴⁶ <https://education.nsw.gov.au/policy-library/policies/pd-2005-0290-03>

⁴⁷ Annexure A, pages 22-24

⁴⁸ <https://education.nsw.gov.au/policy-library/policies/pd-2004-0020-01>

⁴⁹ <https://education.nsw.gov.au/policy-library/policies/pd-2005-0290-03>

Palestine insisted on a school email address in order to verify identity. The address provided to him had the domain name @det.nsw.gov.au.

Attached in confidential Annexure C is a download of the .txt file of this Whatsapp chat. I am submitting it confidentially on the grounds that it contains personal identifying information of a third party.

The required use of departmental emails to conduct a verification check for an outside political pressure group is a misuse of government resources and a *prima facie* breach of the NSW Department of Education's Code of Ethics and Conduct, specifically that staff must, "not use the department's resources, intellectual property, letterhead or information to assist in their political, community or personal activities."⁵⁰

Inaction from the Department and Minister

All these matters were raised with the Minister for Education in an email dated the 21st of March 2025. I had requested that the Minister respond to my email but to date there has been no response from her or her office.

These matters have been raised - in a non-particularised form - in Budget Estimates with the Minister and Secretary for the Department of Education.

Responses to these questions have not illustrated that the Department has done anything sufficient to dissuade Teachers for Palestine from their political activity, encouraging further rulebreaking.

This permissiveness to breaches of the Code of Ethics and Conduct leads to actions which are more and more divisive and have the potential to harm Jewish students in NSW Government schools as well as create a generation of school students with a jaundiced and one-sided view of the conflict in the Middle East.

Recommendations

- I recommend that the Minister for Education instruct the Department of Education's Professional and Ethical Standards section to commence an investigation into those teachers who have organised protest activity through "Teachers and School Staff for Palestine" in respect of those that are using departmental resources for the purposes of coordinating these protest activities.

⁵⁰ <https://education.nsw.gov.au/policy-library/policies/pd-2004-0020-01>

- I recommend that the Secretary of the Department of Education issue a circular to all NSW teachers and staff making clear that there can be no protest activity of the type identified in this submission at NSW Schools and reminding staff of their obligations under the Code of Ethics and Conduct and Controversial Issues in Schools Policy.
- I recommend that if teachers and staff continue to violate Departmental policies in this way that they be separated from the NSW Department of Education.
- I recommend that the Minister for Education and the Secretary of the Department of Education be called to this Inquiry to answer questions on how complaints of the activities of Teachers for Palestine have been handled, if necessary in a closed session.
- I recommend that the NSW Department of Education's Chief People Officer co-ordinate the Professional and Ethical Standards section with the Specialist Risk unit in order that the Professional and Ethical Standards section better understand the risk of staff radicalisation of students.
- I recommend that there be mandatory teaching about the Holocaust for all students in New South Wales and that this be integrated into the curriculum including, but not limited to, a requirement that Holocaust literature only be taught *after* an historical understanding of the Holocaust has been taught to students.

Access to Address Information

In a number of NSW public libraries, including the NSW State Library, there is access to electoral roll information contained on microfilm, microfiche or similar means. These electoral rolls are often not up to date nor are they comprehensive as they may be damaged or otherwise incomplete.

Nonetheless, they are able to be accessed by members of the public often without any record of who has been seeking access to them. This presents a danger that a bad actor may, in seeking the address of an individual, use these publicly available electoral rolls to find an address (possibly out of date) which can then be used to stalk, harass, intimate or attack a victim.

Recommendations

- I recommend that all electoral roll items held by all NSW libraries be returned to the State Archives and that the only repository of NSW electoral rolls be held by the NSW State Library.

- I also recommend that the NSW State Library keep records of who has accessed the electoral roll information and that those seeking to access the NSW electoral rolls be required to give reasons for seeking this access.

Conclusion

I thank the Committee and staff for the opportunity to make a submission to this inquiry and welcome the prospect to give evidence in person if invited.

Sincerely,

Jack Pinczewski