

REPORT ON PROCEEDINGS BEFORE

**PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND
COMMUNITIES**

ANTISEMITISM IN NEW SOUTH WALES

UNCORRECTED

At Macquarie Room, Parliament House, Sydney on Monday 16 June 2025

The Committee met at 9:00.

PRESENT

The Hon. Robert Borsak (Chair)

Dr Amanda Cohn (Deputy Chair)

The Hon. Greg Donnelly

The Hon. Scott Farlow

The Hon. Stephen Lawrence

The Hon. Cameron Murphy

The Hon. Chris Rath

The CHAIR: Welcome to the second hearing of the Committee's inquiry into antisemitism in New South Wales. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respect to any Aboriginal and Torres Strait Islander people joining us today. My name is Robert Borsak, and I am the Chair of the Committee.

I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures.

Professor ANNAMARIE JAGOSE, Senior Deputy Vice-Chancellor and Provost, University of Sydney, affirmed and examined

Ms KIRSTEN ANDREWS, Vice-President (External Engagement), University of Sydney, affirmed and examined

Professor the Hon. VERITY FIRTH, AM, Vice-President (Societal Impact, Equity and Engagement), University of New South Wales, affirmed and examined

Mr DAVID CROSS, Chief of Staff, University of New South Wales, affirmed and examined

Professor KYLIE READMAN, Deputy Vice-Chancellor (Education and Students), University of Technology Sydney, affirmed and examined

Ms AMY PERSSON, Pro Vice-Chancellor (Social Justice and Inclusion), University of Technology Sydney, affirmed and examined

The CHAIR: Welcome, and thank you for coming to give us evidence. Would any of you like to give an opening statement on behalf of each of each institution?

ANNAMARIE JAGOSE: Thank you for the opportunity to appear today. I'll be brief. We acknowledge the lived experience of antisemitism faced by members of the Jewish community, and the distress many in our own community continue to feel in relation to the rise in antisemitism in Australian society and the ongoing conflict in the Middle East. As we've said previously, the University of Sydney did not get everything right as we responded to the aftermath of the terrible events of 7 October 2023. We have, however, committed to learn from these hugely challenging and complex events and from the experiences of other universities around the world, and to listen to those who would work with us to ensure our campuses are safe and welcoming for all.

Our work in this area has been extensive and ongoing. It has included the Hodgkinson independent review, new campus access rules, significant security upgrades, an ongoing overhaul of our complaints handling process and a new civic campus program. We've taken up the Universities Australia definition of antisemitism, including it in the resources that support our institutional anti-racism statement and incorporating it in our complaints handling process. Most recently, while balancing the need to safeguard academic freedom and freedom of expression, we have implemented new and updated policies regarding, among other things, the use of email, social media, flags, posters and promotional material, and public comment. We remain absolutely committed to having a safe campus for all our staff and all our students, free from antisemitism and any form of racism or bigotry. We look forward to your questions.

VERITY FIRTH: Good morning and thank you for the opportunity to appear on behalf of the University of New South Wales [UNSW]. Our vice-chancellor, Professor Attila Brungs, is overseas at the moment, so my colleague David Cross and I are appearing on behalf of the university. UNSW is gravely concerned by the sharp escalation in antisemitic events that have occurred in the wake of the appalling events of 7 October 2023. We are deeply distressed by the ongoing conflict and tragic loss of life unfolding in the Middle East. As a university, our foremost responsibility is to ensure that all members of our community—students, academic and professional staff—can engage in study, research and work in an environment that is secure, respectful and inclusive.

Antisemitism, one of the oldest and most persistent forms of hatred, is experiencing a troubling resurgence around the globe. UNSW is actively implementing a series of practical and policy-based measures to support Jewish staff and students, and to reinforce our commitment to a safe, welcoming campus. These measures include policy enhancement and revising our anti-racism policy to broaden its scope to include protection from religious vilification. Alongside this, the university's code of conduct has been updated to better address behaviours that marginalise or vilify individuals based on faith or belief. Physical security has been increased through additional security personnel, higher visibility patrols, faster removal of offensive or unauthorised materials and strengthened collaboration with external policing and security agencies.

We have implemented reforms to improve event risk management and are reworking student orientation to embed stronger guidance on inclusive behaviour, respectful dialogue and awareness of anti-vilification standards. We are also holding regular meetings between university leadership and Jewish students, staff and alumni to address concerns and build trust. We continue to champion freedom of speech, including the right to protest and express dissenting views. However, we are also taking steps to ensure that public displays and communications on campus do not cross into vilification or hate. Measures include designated poster zones and stricter rules around unauthorised messaging.

UNSW has expanded both the avenues to which complaints or concerns can be raised and the capacity of teams responsible for managing these reports. The vice-chancellor and other university leaders have issued regular statements reinforcing UNSW's zero tolerance stance on racism and antisemitism and sharing information about available supports. We have significantly increased access to professional counselling and wellbeing services for those who need confidential support or advice.

A thriving democracy depends on the freedom to question, to disagree and to engage in robust debate, but these freedoms must not be weaponised to legitimise hate. The right to protest must never be used as a shield for expressions of bigotry. At UNSW we strive to build a community grounded in empathy, respect and responsibility where people feel not only physically safe, but emotionally and culturally supported.

KYLIE READMAN: Thank you for the opportunity to address this inquiry this morning. We're representing the University of Technology Sydney [UTS] on behalf of our vice-chancellor, who sends his apologies. He has a prior commitment with the State Emergency Services. Antisemitism has no place at UTS. Our vice-chancellor and our senior staff, including myself, have made this position very clear to the UTS community on many occasions via a range of different avenues, and particularly over the last 18 months.

We acknowledge the rise of antisemitism in Australia. We acknowledge the fear and distress experienced by many of our Jewish students and staff, and we accept our responsibility to provide a campus environment free from antisemitism and racism of any kind. Our primary focus is ensuring the safety of our community, while supporting a culture in which diverse views can be expressed in line with our public purpose as a university. The right to freedom of expression comes with responsibility. Our university provides an environment in which people must be able to safely and respectfully disagree. So while people have a right to criticise and challenge the views of others, and otherwise engage in robust debate, this does not extend to uncivil or disrespectful behaviour.

UTS has taken a range of additional measures to ensure the safety and wellbeing of our community since the attack on 7 October 2023 and the subsequent conflict in the Middle East. We've reviewed our governance settings to better manage safety in the context of protests and demonstrations and clearly articulated our expectations to staff, students and the broader university community. These policy reviews and updates form part of a wider university response, including additional training and resources to support staff and students to have respectful conversations.

UTS has established a dedicated space for our Jewish students at their request. We've also increased the number of rabbis providing pastoral care to ensure support is available to a diversity of Jewish students, and we've visibly ramped up the security presence on campus. Senior university staff, including myself, and our security staff meet regularly with UTS student leaders—including from the Australian Union of Jewish Students, the UTS Muslim Society and the UTS Students' Association—to check in on the welfare of our diverse student cohorts. These meetings provide an opportunity for students to alert us to any areas of concern and to reinforce UTS services available to students.

We have received a small number of complaints from Jewish staff and students who felt unsafe or unwelcome on our campus. We work diligently to resolve issues as early as possible, starting with relationship management before commencing formal complaints action available under our policies. Working proactively with our students and staff to resolve concerns relies on us building trust in our ability to act and trust in the systems we've developed to manage the issues that are brought to our attention.

Our campus regularly hosts events that provide staff and students an opportunity to speak up about issues that concern them and the wider community. In recent months, some of these activities have related to the conflict in Gaza. These events and protests have generated both vocal support and complaints about whether these activities are appropriate, and about the behaviour of some of those attending. When permitting any student-organised event or rally to be held on campus, UTS carefully balances the rights and responsibilities of all of our students, but I want to reiterate that any antisemitic behaviour or speech will not be tolerated. In this time of great global uncertainty, we accept that circumstances are constantly evolving, and we're committed to regularly reviewing our approach to make sure these things are working for our community. Thank you for the opportunity to outline our commitment to creating a campus environment free of antisemitism.

The CHAIR: Thank you. We will now proceed to questions from the Opposition.

The Hon. CHRIS RATH: Thank you to each of you for appearing today and for providing those opening statements. I want to start with Sydney University and something that was in the media on Thursday and Friday about one of your casual academics, Fahad Ali, who wrote on social media that he wanted Zionists executed. How would that make a Jewish student, who might have family in Israel, feel about their safety being taught by Sydney University academics? What steps and measures have you put in place over the last few days, since those comments have been made public?

ANNAMARIE JAGOSE: We understand completely that Jewish staff and students would rightly feel disturbed by those comments. That social media post was drawn to my attention after hours on Friday by a media outlet. We immediately moved to make an investigation. By Saturday morning the colleague was suspended, pending an investigation, which is not our most common move but indicates the severity with which we were taking those events.

KIRSTEN ANDREWS: If I might add to that answer for one moment, we've also referred the matter to the police, who made a statement, I believe, on Saturday confirming that they've commenced an investigation into the post.

The Hon. CHRIS RATH: Where do you draw that line between freedom of speech at one end and, I suppose in this case, inciting violence? What's the position at Sydney University when it comes to academics and the statements that they make—public statements like that?

ANNAMARIE JAGOSE: While we cherish academic freedom at a university, as we are duty-bound to do, it's not simply the University of Sydney that draws a very clear line but the law. As you note, incitements to violence, bullying, intimidatory comments—none of those have the protection of academic freedom.

The Hon. CHRIS RATH: I want to turn now to the encampment. The media reported last month that there was discussion amongst senior directors in May last year, during which the encampments were taking place at Sydney Uni. I think in the minutes of that meeting it was said to "ensure that Jewish students have ways to avoid the encampment when gaining entry to exams". How is this not an example of segregation, if we're going to have Jewish students entering an exam in one entrance to avoid the encampment and then every other student coming in through another, through the main entrance? You can see how that could be potentially problematic.

ANNAMARIE JAGOSE: We strongly refute those recent allegations, as reported in the media. A claim has been made of providing an alternate exam entrance for Jewish students in a segregatory way, which simply never happened. There was an alternate exam entrance for all students, made available for any student who wanted to avoid the encampment as they came into their examination. I think that is factually inaccurate and not very constructive for what we were doing for all of our student body. Our top priority across that period was student wellbeing. This included offering alternative access routes to anyone who wanted to avoid what was probably not very conducive to exam equilibrium on their way into an examination. We have zero tolerance for any form of racism or hate speech, and at no point did we try to segregate our Jewish students or our staff from other staff or students.

The Hon. CHRIS RATH: Why didn't you just shut down the encampment when there was evidence of it being inspired by Hizb ut-Tahrir and when there were examples of Hezbollah or Taliban flags? Why did it go on for so long? SafeWork basically indicated that you had the power to move on that encampment. Why wasn't that measure taken?

ANNAMARIE JAGOSE: There are a number of things in your question there that I need to unpack a little. But I also want to say that we think we did a good job in peacefully resolving the longest running encampment in Australia, and we did so in an environment—both national and global—where we saw extreme escalations of violence in a way that could not be thought to be safe for students or staff. We think we had an absolutely clear policy to decelerate, to de-escalate and to keep calmness at play.

The difficulty that I have with the question is that there are a number of things implicit in the question that I know are not accurate, but they did circulate in the media. They have been repeated in different contexts. I'll just take one. The idea that there were Hezbollah flags flying on campus was an allegation that was made and carefully investigated. We liaised with the police over this, as we did on numerous occasions—sometimes daily, sometimes multiple times a day over the period of the encampment—and we liaised with our Arabic language specialists on campus. We were assured that the flags in question were shahada flags, which are a statement of religious disposition and therefore completely protected on campus. But the allegation gets repeated and it's very hard to put that accurate basis under its feet. So there are a number of things that circulate like that that need careful consideration in an academic and university context.

KIRSTEN ANDREWS: Can I add to Professor Jagose's answer to say that, notwithstanding all the evidence she's just provided you, the University of Sydney has said in about six different inquiries, and now publicly, that it fully acknowledges it didn't get everything right. That's why we commissioned an independent inquiry, conducted by Bruce Hodgkinson. He made 15 recommendations that were accepted in full by the university senate and are now being fully implemented. It's also one of the reasons that we revised the Campus Access Policy for semester 2, which led to a serious diminution in complaints about the university and how it was conducted in relation to antisemitism for semester 2, which has continued through into 2025.

It's also the reason that we've recently revised five major policies on acceptable use of ICT resources: our flag policy, email and electronic messaging, promotional and display materials, social media, and media public comment policies. It's the reason that we've engaged in much stronger feedback loops for continuous improvement with staff, students and members of the community. While we were, at all times, trying to ensure the safety of our staff, students and community visitors on campus, we fully acknowledge that there are areas for continuous improvement and we're committed to continuing to do so.

The Hon. SCOTT FARLOW: Ms Andrews, to that point of not getting everything right, was having the longest running encampment an area where you didn't get it right?

KIRSTEN ANDREWS: We've acknowledged that publicly before.

The Hon. SCOTT FARLOW: Disturbingly, we have heard evidence in the inquiry about the rising number of antisemitic incidents. AUJS conducted a survey in early 2024—and I take it that there have been actions since—finding that 64 per cent of Jewish university students experienced some form of antisemitism, with 88 per cent of respondents reporting that that had occurred in the last 12 months. The majority of those survey respondents came from the University of Sydney. What action have you taken with AUJS to address some of these concerns?

KIRSTEN ANDREWS: We engage in regular consultation with AUJS. We most recently engaged in pre-semester 1 feedback to talk to them about actions we had undertaken to improve safety on campus, including for Welcome week and through the semester, but also to seek their feedback about their lived experience on campus. They are regularly providing feedback to us—various staff and student groups—on what we're doing. In addition to the measures that I outlined previously, we've also engaged in significantly improved security measures, including additional CCTV on campus, implemented in consultation with the community.

We've undertaken a review of our complaints management system. There is a whole range of additional cleaning and monitoring of poster sites that has been ongoing to make sure that offensive material isn't allowed to stay on campus. We also have an Engaging with Civility module for student leaders that will be mandatory in semester 2. It's currently being co-designed with student leaders to make sure that it encompasses the kinds of things that they would like our student leaders to know. We've also fully complied with all inquiries that have been received by the university.

The Hon. SCOTT FARLOW: This is a question for the entire panel. The other day we had some site visits, and we visited a Jewish school. One thing that the principal shared with us was the rising number of students she had who were looking at university study outside of Australia because they were concerned about the campus environment. Have you seen a decline in enrolments from Jewish students on your campuses at all and is this something that concerns you? Are you hearing this as well?

KIRSTEN ANDREWS: We don't profile our incoming students. We don't keep records of them by religion, so we don't know the answer to that question.

VERITY FIRTH: That's the same for us as well.

KYLIE READMAN: It is also the same for us.

Dr AMANDA COHN: Thanks so much for coming to give evidence. I want to follow up on some of the policies that have been implemented in response to complaints of antisemitism on campuses. Of course, all students and staff have a right to be safe in their place of education or their place of work. I understand there have been some issues with the implementation of those policies, which have also caused complaints. I'll start with the University of Sydney. I'm aware of an incident earlier this year where the new Campus Access Policy meant that an international student was suspended for expressing a political opinion on a whiteboard with a non-whiteboard marker, and that risked the person being deported for an expression of a political opinion. Do you think that's an appropriate response to what has been happening? If not, what changes have you made?

KIRSTEN ANDREWS: It might be helpful for me to talk about the individual matter. This is another incident where there has been some inaccurate commentary about the particular incident. It has always been the case that student misuse of university facilities, including damaging property, could constitute misconduct under our rules, charters and policies, including the Campus Access Policy. But it has never been alleged that the nature of the words written on the noticeboards were unlawful or in breach of university policy, and any suggestion that the university has taken action because of the political nature of the student's comments is not correct. The only relevance of the text written was to support the university's view that the activity was a demonstration within the meaning of the Campus Access Policy, without prior notice and inside a building. We remain in contact with that student to provide support throughout the process.

Dr AMANDA COHN: To clarify, this student was suspended, but for writing on a whiteboard in the wrong type of text?

KIRSTEN ANDREWS: I believe the issue was about permanent damage to university property.

ANNAMARIE JAGOSE: I think we'd have to take it on record as to whether the student was suspended.

KIRSTEN ANDREWS: Yes.

Dr AMANDA COHN: I'd appreciate that being clarified on notice. On the same basis, I have a similar question for UTS. I'm hoping you could clarify what your policy is regarding the use of the word "genocide". I understand there was an incident last year where flyers were not permitted to be circulated because they included the word "genocide". This is obviously an important term in international law. The term itself is obviously not antisemitic or doesn't constitute hate speech. Is it permitted or not?

KYLIE READMAN: The particular incident that you're referring to was in relation to our student election campaigning, so the process of handing out leaflets on how to vote et cetera. There was, on the opposite side of the how-to-vote card, an invitation to—or notification of—a protest that was upcoming. Some students felt that they had no choice of or didn't realise what they were accepting, and were concerned about the fact that the notice about the protest appeared to be a how-to-vote card, which they accepted, and then they found that that was not the case. There were also some concerns raised about not being able to refuse that, because of the nature of the leafleting, which is a process that we then clarified with the students that were engaged in the electioneering.

Dr AMANDA COHN: To clarify, if a leaflet were handed out advertising a rally outside of the context of an election or how-to-vote material and it used the word "genocide", that's now permitted at UTS?

KYLIE READMAN: It wasn't ever not permitted; it was just the nature of the way it was communicated. We obviously take the lead from what's permitted or not permitted in Australian society. We haven't ever taken a position about stopping people from using words, but we do think about the context in which they are used.

AMY PERSSON: I want to add to that. The material, almost immediately, was permitted on designated noticeboards. The leafleting ceased but the material, including the material that contained the word "genocide", was permitted on those noticeboards, which the university has more control over, and students and staff have control over what they're absorbing and can make a choice about that.

Dr AMANDA COHN: Thank you. That's a helpful clarification. My last question is for all three of you. I appreciate that it may be taken on notice. Could you please disclose to the Committee what investments or partnerships you have with any weapons manufacturers that work with the Israel Defense Forces?

ANNAMARIE JAGOSE: Sure.

VERITY FIRTH: We'll take that on notice.

KYLIE READMAN: I don't have an exact number but UTS has no direct—we have a defence-related partnerships website page so that we can make sure that our relationships are transparent to our community. That was established about 12 months ago. I'm happy to provide the details about that.

The Hon. CHRIS RATH: I'll move to UTS. How does UTS adjudicate the access to its campus spaces for rallies and gatherings which might facilitate antisemitism?

KYLIE READMAN: We do have a campus policy, which has been updated in 2024 and, more recently, with some proposed changes in 2025. In terms of facilitating—are you asking about external members, or just in general how our campus policy works?

The Hon. CHRIS RATH: I suppose both: whether they're students and staff, or whether they're people coming onto campus that aren't student or staff.

KYLIE READMAN: Just to be clear, all visitors who come to UTS—a very porous campus, as I'm sure you're aware—are subject to our campus policy. These people might be subject to direction from UTS security staff. We're currently looking at ways to, particularly, inform people who might be external to UTS of the boundaries of the campus policy, including increasing signage and so on. In terms of the campus policy itself, for our own staff, is that the second part of the question that you're asking, for our students and staff?

The Hon. CHRIS RATH: With rallies and public gatherings, how do you police flags, chants or things like that that might be antisemitic in nature? What's the policy when it comes to that? Where do you draw that line?

KYLIE READMAN: Thank you for the clarification. When a person or group is wanting to have a protest or a demonstration on campus, there's a process for facilitating that. We want to make sure that we can allow that group to do so safely. We have a process through our security team that requires a notice period prior to that. In that process, we look at all of the elements that might cause concerns about safety and cause concerns to members of our student community or our staff community. The advance period and then the negotiation around where and how that will happen are part of our regular process and are documented in our campus policy.

The Hon. CHRIS RATH: To UTS and UNSW, what additional measures have you put in place to combat antisemitism since October 7? I know you have touched on some of this in your opening statements, but are there any further items that you can expand on—not what was in place before October 7, but any new or additional policies or measures that you've put in place since then?

VERITY FIRTH: I can speak on behalf of UNSW. After October 7, we updated our anti-racism policy to include anti-religious vilification. We've updated our code of conduct to better protect those experiencing racism and vilification. Both these processes included extensive consultation with students and staff. We've increased physical security. We've included additional guards. We've also increased connectivity with external law enforcement agencies. We've had a significant expansion of confidential counselling services and other similar programs for students, staff and their families to help address trauma and ensure that our community feels safe. We've improved our risk assessment at all UNSW events. We've reviewed and updated the risk assessment for relevant events based on experience, external advice and context.

In 2024 we revised our student onboarding and orientation process. This included a specific focus on the UNSW code of conduct to let students know what they can expect of the university, as well as what the university expects of them. There was also a deeper focus on diversity, inclusion and respect, and links to various policies around behaviours, including anti-racism and anti-religious-vilification. We've changed the way that posters can be displayed at the university by ensuring that there are designated areas for posters; removing those which may be triggering or seen as threatening from common walkways and at large across campus; and removing posters placed outside of the noticeboard areas. These areas are now checked twice daily.

DAVID CROSS: Can I just add that we've also been very specific in clarifying to key bodies such as AUJS and the Jewish Board of Deputies that they have direct lines not only to the relevant senior staff in terms of the education portfolios in the university but also straight into the vice-chancellor's office. We're in regular communication with those groups to make sure that we're doing everything we can to make all Jewish students and staff feel safe.

KYLIE READMAN: We have focused on delivering additional training, such as providing training to our teaching staff about how to create inclusive environments in which students can respectfully discuss issues, including race and religion. This training explicitly includes antisemitism. We're enhancing our policy framework. UTS policies are reviewed to ensure they're fit for purpose. The campus policy is a good example of that. I'm happy to give more detail. We're strengthening our complaints mechanism. We have a clear mechanism for students to report incidents. Equally, there's a no-wrong-door approach to complaints.

Amy and I, in our roles in relation to students, have regular meetings and are available for ad hoc meetings if they're requested. The vice-chancellor has also met with a number of student groups so that he can hear directly from them, and he is open to receiving communication. We've expanded our support services, some of which I mentioned in my opening statement, and we encourage students and staff to seek support via UTS counselling, the multi-faith chaplaincy and other avenues, including the Centre for Social Justice and Inclusion. We've significantly strengthened the relationship between our security team and the relevant student associations, so that they can directly raise issues as they arise.

AMY PERSSON: I would add that communication to our community, making very clear the university's zero-tolerance approach for antisemitism and all forms of racism, has significantly increased over the past 18 months. We have made clear on a whole number of occasions that zero-tolerance approach. Senior leaders have invested a lot more time in talking and listening to our student leaders and trying to really promote more confidence and trust in our complaint mechanisms and our systems so that students do come forward when they experience something that they want the university to know about. Professor Readman mentioned the relationship with our security team. The UTS security team is extremely good, and our student leaders have a lot of access to our head of security. I mean, they have a lot of access to people like Kylie and myself, but there have been times when security is meeting with those leaders weekly to try and manage and promote social cohesion at UTS.

The CHAIR: I might ask each institution individually, maybe starting with Sydney University, why are you adopting these policies now? Why weren't they in place when we saw the first inklings of this on 9 October on the Opera House steps? Why now are you going in and putting all these things in place? And how and why were the protests allowed to continue on campus for so long?

ANNAMARIE JAGOSE: It's not only now at the University of Sydney that these mechanisms are being put in place. Less than a fortnight after the peaceful resolution of our encampment, we had the Campus Access Policy in place, so over a year now. It's certainly not a present tense scenario. We equally commissioned Bruce Hodgkinson, SC, to do an external review of all of our policy settings in light of a changed environment on campus.

The CHAIR: One would have thought that these policies should be underlying the very fabric of an institution such as a university. I didn't have the privilege of going full-time—I had to study at night—but when I went to what was then the Institute of Technology, there was never any suggestion of anything like this anywhere. You say you put the policy in 12 months ago. What about before that?

ANNAMARIE JAGOSE: Like you, I went to a university that was very different from the one I lead today. One of the big changes has been that we did not have a history of dealing with encampment as a practice, so our policies didn't relate to it. Similarly, there have been recent changes in legislation that require attention to the work health and safety, wellbeing and psychosocial safety of our staff and students. That's a new kind of setting in the environment, and hence previous policies really did urgently need an overhaul.

The CHAIR: You're saying it takes this to get the overhaul done? Why weren't you proactive in terms of getting something done? As you say correctly, any student or staff—anyone—should feel safe on campus. Why does it have to get to this before you actually start getting it done and proactively managing the situation? I can't remember who was talking about actually going twice a day and tearing posters down, for example. Maybe it was Ms Firth.

VERITY FIRTH I was just going to make the point that all of these policies did exist prior to October 7.

The CHAIR: They were on the shelf somewhere. No-one was looking at them.

VERITY FIRTH: No, not at all. In fact, I think we show by the demonstration that there has been peaceful lawful protest at UNSW, and that's what it has been—peaceful and lawful. But what I would say was that post-October 7, I think most universities said, "We do need to make sure, have a dig, look at our existing policies and ensure they are updated accordingly," to move with the increased activity that we knew was beginning to happen, not just in Australia but globally. It would be a case of, yes, we looked at our policy and particularly updated resourcing. We increased resourcing to security and counselling services.

The Hon. STEPHEN LAWRENCE: Chair, is it a suitable time for Government questions?

The CHAIR: I haven't asked any questions and you've only just arrived, Mr Lawrence. Please give me a couple of minutes. I think what I'm getting at is why it takes so long. Why did Jewish students have to feel unsafe before suddenly something was being done proactively to implement policies that you say were already existing? Why was it allowed to get out of hand so badly? Maybe UTS would like to talk to that.

KYLIE READMAN: UTS has a long history of anti-racism work, so the policy framework was in place prior to the events of October 7. We've strengthened the resourcing and the communication, and just making sure that people across our community are aware that we're working towards a dialogue with all members of our community as they raise questions. We were making sure that our educative framework and our proactive work with people was responding to the things that they were raising in the new environment.

The Hon. STEPHEN LAWRENCE: I might start with the Provost of the University of Sydney, if I could. I noticed in your anti-racism statement and, indeed, in your submission that Sydney Uni effectively has adopted the IHRA definition of antisemitism. It has been criticised on the basis that there's an ambiguity in it, in the sense that it states that calls for the elimination of Israel could be antisemitic. I am curious about why that ambiguity is not addressed in the anti-racism statement.

ANNAMARIE JAGOSE: I think you were referring to some supplementary resources that support the anti-racism statement, because the University of Sydney has not endorsed the IHRA statement. We use it along with a number of others, like the Jerusalem declaration and so forth, to provide some contextualisation for the issues that the anti-racism statement centrally defends.

The Hon. STEPHEN LAWRENCE: It does seem to be given a central place in the anti-racism statement. It's quoted at length, including that portion of it that is controversial. I'm curious about why the opportunity wasn't taken, in putting it in there, to address the ambiguity.

ANNAMARIE JAGOSE: To my recollection, that is what the supplementary resource does: It identifies what the nature of the academic contestation over that definition is. That, of course, is what gave rise to the Universities Australia work with Jillian Segal around the antisemitism definition that Australian universities

are using, because there is that contested piece in the IHRA definition, which universities are therefore largely reluctant to adopt.

The Hon. STEPHEN LAWRENCE: There's certainly reference to the Jerusalem declaration and references to the other resources, but there's not an express addressing of that ambiguity that makes it so contentious. I find that to be a little bit strange, particularly in the context of the university adopting the Hodgkinson principle, if I can put it that way, of requiring context to be expressed when talking about contentious matters.

KIRSTEN ANDREWS: My memory of that document and our other public statements is we've made clear that we've adopted the Universities Australia definition. The reason we've done that is because it is possible that criticism of Israel can be antisemitic. I'm quoting from the definition:

Criticism of Israel can be antisemitic when it is grounded in harmful tropes, stereotypes or assumptions and when it calls for the elimination of the State of Israel or all Jews or when it holds Jewish individuals or communities responsible for Israel's actions.

The Hon. STEPHEN LAWRENCE: That's right. One of the key criticisms of the IHRA definition is what does it mean to call for the elimination of Israel. Those, for example, who support a one-state solution might effectively be calling for the elimination of Israel but calling for a secular State that allows all people to live in it. I'm just curious why that ambiguity that is so controversial is actually left there in your anti-racism statement and not expressly addressed.

KIRSTEN ANDREWS: We have sought to make it as clear as possible, and that's the first feedback I have heard that it hasn't been clear. We are happy to take that on board and review the material.

The Hon. STEPHEN LAWRENCE: In terms of the Hodgkinson review and the various things that he has recommended, would you accept that the application of those recommendations or the implementation of them does represent a substantial incursion on free speech?

ANNAMARIE JAGOSE: No, I wouldn't accept that. In fact, as you will not be surprised to understand, the university has worked very hard and concertedly to balance those considerations of free speech and academic freedom with the requirement to provide a safe and welcoming campus for all. The exercise of free speech is not, as you know, an untrammelled exercise. It has limits and there are responsibilities that go alongside that. For example, heavily contested on our campus and, of course, not agreed by all, but through a period of consultation reviewed and changed slightly for January 2025, are some significant things—for instance, to require that protests don't occur indoors. Some people may feel that that hampers their academic freedoms or their freedom of speech. We think, on balance, there are plenty of protests that go on on campus, perhaps not every day but close to every day, and certainly weekly. The healthiness of campus-based protest is, I think, a sign of the healthiness of a campus.

The Hon. STEPHEN LAWRENCE: To be more specific, I am particularly concerned about the fact that it will be misconduct to use a contested phrase unless one provides context around what one means. It's a pretty established part of free speech jurisprudence in America—and, indeed, here—that the right to engage in free speech will often involve the right to be wrong, and perhaps even the right to be offensive. It might seem like a good academic idea that one always provides context, and perhaps it's a good exhortation, but to put it to the level of a rule might effectively limit free speech, because it's really a counsel of perfection. That is more my concern.

ANNAMARIE JAGOSE: Perhaps I could speak to that really particularly. I agree. That so-called civility rule from the Hodgkinson review is something that we are still discussing with stakeholders and so forth because, frankly, its implementation is not just undesirable in terms of its impact on free speech but impractical in very many ways. At a university, we are one decision-maker among many. Nevertheless, you need to have some clarity around those sorts of frameworks. How is it possible for a person in a speech act to provide all of the context that would anchor that significantly? We know very well that free speech and academic freedom depend on the contestation of ideas and, hence, the civility rule is not something that has been implemented—although we refer to civility a lot in our existing policies and we are also fine-tuning, often in educational ways rather than in regulatory ones, what civility means for students or staff.

For example, as Ms Andrews was saying before, we have done some work with student executive groups, including AUJS and SUMSA, around a civility module that student leaders must take. The regulatory bit is that if they don't take it then they can't book university rooms and they can't do the things that they will need to do to be effective in their roles. It trains them to think about, in this contemporary context, what does civility mean, including an increased emphasis in the revision of the module on an understanding that one's words and actions can be harmful and traumatising to others, even if that didn't occur to you in the first instance.

The Hon. STEPHEN LAWRENCE: So it is not being put as a rule of academic misconduct. That's really good to hear. In your submission and, indeed, in the Hodgkinson review, there is almost a complete lack of detail about what the rise in antisemitism on campus, if it has occurred, has been constituted by. I am just wondering how we are meant to make a judgement on whether the implementation, for example, of the recommendations of Hodgkinson are warranted in circumstances where there is virtually a complete lack of detail of what this supposed upsurge has actually been constituted by.

ANNAMARIE JAGOSE: I think we would look to the volume of complaints received. For example—and Ms Andrews might correct me with the data—close to 400 complaints were received around campus-based behaviour, commentary et cetera across the first half of 2024 with the—

The Hon. STEPHEN LAWRENCE: Surely a complaint is just a fact of a complaint though. A complaint is not, in and of itself, evidence of anything, is it?

KIRSTEN ANDREWS: No, but it's also fair to say that we take the lived experience of our Jewish staff and students seriously and, regardless of the formality of a complaint, their experience of campus has been something we've listened to hard, without making a judgement on the veracity of that feedback or testifying to that. What we've done is heard that their lived experience is that they've experienced more antisemitism on campus, and we want to make sure that they feel safe on campus at all times.

The Hon. STEPHEN LAWRENCE: Does that include the Jewish students who led the encampment?

ANNAMARIE JAGOSE: Just to reinforce a point, nearly a quarter of those complaints were upheld. I don't want you to think that they were just a volume of complaints. That's a significant number of upheld complaints for us and so suggests to us a requirement to act.

The Hon. STEPHEN LAWRENCE: Sure, but this is a very contested political space—I'm sure you'd agree—and one would like to see more detail, I would suggest, in terms of material to justify what I would suggest are pretty substantial incursions on free speech and changes to campus life. It's just not there in your submission or the recommendations.

ANNAMARIE JAGOSE: I think the balance there is to enable staff and students to experience the University of Sydney as a safe workplace and a safe place to study, regardless of their political orientations. So the policies, as a suite, preserve that you can access your classroom without disruption and that if you're inside a building you are not going to encounter protest action, and so forth, while nevertheless enabling and supporting protests to continue on our campuses.

The CHAIR: That is the end of the session. Thank you very much for coming. There was one question taken on notice. The secretariat will be in contact with you about that.

(The witnesses withdrew.)

Mr ANGUS FISHER, President, University of Sydney Students' Representative Council, affirmed and examined

Ms SHOVAN BHATTARAI, Vice-President, University of Sydney Students' Representative Council, affirmed and examined

Miss DIYA SENGUPTA, President, University of New South Wales Student Representative Council, affirmed and examined

Mr AKASH NAGARAJAN, General Secretary, University of New South Wales Student Representative Council, sworn and examined

Ms MIA CAMPBELL, President, University of Technology Sydney Students' Association, affirmed and examined

Ms NEEVE NAGLE, Welfare Officer, University of Technology Sydney Students' Association, affirmed and examined

The CHAIR: Thank you all very much for coming.

SHOVAN BHATTARAI: Mr Chair, I am also one of the co-conveners of Students for Palestine at the University of Sydney.

The CHAIR: Thank you. We'll start with Government questions.

The Hon. STEPHEN LAWRENCE: Thanks to you all for coming along to give evidence. It's much appreciated. Thanks for all your work as student leaders. I think most of you were sitting in here when I arrived late and started asking questions of the University of Sydney. I wanted to start on an issue that I asked them about, which is that I found there to be, in the University of Sydney submission, almost a complete lack of detail about this supposed rise in antisemitism on campus. I would make the same criticism of the independent review by Mr Hodgkinson.

There are some things on, I think, page 19 and 20 of that review, but it's very much broad brush and seems to start from a starting point that a multitude of complaints is evidence of a thing complained of. I'm pretty sceptical of that, I must say, as a criminal lawyer myself. To start with the two University of Sydney witnesses first, could you talk to us about what you think has changed on campus since October 7? Has there been a rise in antisemitism? There are obviously different perspectives on what antisemitism is, and I suspect you'll be on top of those issues. If each of you could just talk to me about the increase of what has occurred on campus, what you think it is, and how you would characterise it.

ANGUS FISHER: I think it's safe to say that there has been a rise in all forms of discrimination, racism and injustice against even all minority groups. That likely includes antisemitism. That includes Islamophobic statements. That includes, perhaps, Asian hate. That includes all different types of discrimination. I think that comes from the rise and the comfort that the far right is experiencing in Australia and globally, and that they're feeling more empowered through that. I think that answers that part of your question. In terms of what has changed at the university, I think what you highlighted when you were grilling our provost earlier effectively highlights that there have been a lot of policies that, even if they seem soft on the surface, really alter the culture and the ability to speak freely and openly.

For example, in the Campus Access Policy, before sometime this year, there was a 72-hour window required to alert staff that you were having an action. That effectively negated the effectiveness of, for example, snap actions. That really diminished the amount of actions and free, open debate that was occurring at the University of Sydney. Now, after the Hodgkinson review, there has been this implementation of the "five key policies", they've been referred to as. I doubt that they are, in fact, "key" but, nevertheless, that's what they are called. Part of that policy is to essentially fine individuals for putting up posters in—wherever—places. That effectively bans posterage.

But what I can absolutely tell you and what I can absolutely say is, contrary to what the provost would say in terms of, "The university has actions every day," I wholeheartedly disagree with that. The number of actions has empirically decreased from last year in a substantial level, and that's because people are afraid of getting academic misconduct. I myself have faced potential issues and warnings, but merely speaking at an action, not even organising an action. So I would disagree with that characterisation. The culture on campus has certainly decreased and become a lot more quiet, I think.

SHOVAN BHATTARAI: If I could just add to that, I think it has been a notable concerted push by several pro-Israel institutions and institutions which have sought to crack down on the ability of activists to freely speak out and organise around Palestine, to cite this claim that there is a massive rise in antisemitism on university

campuses and in New South Wales—claims that are often made, as you said, with very scant evidence to justify those claims. And where evidence is cited, a lot of the time the burden of proving that some claims have to do with antisemitism is left pretty unanswered.

A lot of the claims of antisemitism that have occurred on university campuses simply refer to actions and speech that are about students standing up against the genocide that Israel has waged on Gaza. We see instances in a recent SafeWork NSW report, such as the stickers on campus which said "Free Palestine", being cited with no further evidence of being an example of antisemitism. We've seen reports that the chant "From the river to the sea, Palestine will be free", a chant that is expressing a basic level of solidarity for freedom and justice for the Palestinian people—something I would hope that most people agree is a very fair demand to call for—citing that this is another example of antisemitism.

In fact, I think what we're seeing at the moment is a real concerted effort by universities, as well as many other institutions, to crack down on the ability of students and staff to speak freely around this issue. On multiple university campuses, new policies and procedures have been introduced that put quite onerous conditions on students being able to organise protests, that massively expand disciplinary proceedings against students who break these new policies, and things like that. And when you look at the sheer volume and intensity with which our free speech around this issue and our ability to organise is being stifled compared to the quite inadequate levels of evidence that these institutions and bodies are able to put up as examples of what justifies this, I think that there is a serious problem going on at the moment on our campuses.

The Hon. STEPHEN LAWRENCE: That's really helpful. Lastly, for the University of Sydney, something that really concerned me when I read about it in the Hodgkinson review last night was the so-called "civility rule"—the notion that when one engages in political speech that one must provide all context necessary to clear up any ambiguities that might arise in the ears of the listener. Are you able to confirm that that rule is not being enforced at the University of Sydney at the moment?

ANGUS FISHER: Apart from the rhetoric and the nominal words that the university management is speaking, I can't provide any sense that it's not being implemented. In fact, I can provide examples where the opposite is true. In particular, our lecturer at the University of Sydney, a Palestinian lecturer, also had asked for a minute's silence before the class that they were about to teach because people have been genocided in Gaza. They posted this on the staff notice board. That was removed and then that put forth an investigation on this individual, and we're told, "You can't particularly do this because it might be a psychosocial risk."

There are other circumstances where a transgender individual was writing on a whiteboard "Free Palestine"—everything that Shovan was highlighting there—and was also punished for that. It was noted as being uncivil. I think the language as well, in and of itself, even if you don't believe those examples, is worrying, because I think the notion of civility—there is another notion of the Campus Collaboration project—is a real thinly-veiled example and an ability for the university to crack down further on these issues. So, in short, to your question, no, I can't either confirm or deny, but I can give you examples where perhaps they have enforced it in a not-so-rigid way.

The Hon. STEPHEN LAWRENCE: Thanks very much. I might then go to the University of New South Wales. I've observed on social media occasionally in relation to this question of Israel-Palestine that antisemitism will be evident and that it will sometimes be disguised as criticism of Israel. I think this is a real thing. I don't think that we've necessarily seen that, by and large, in the Palestine movement though. I don't think it's been evident, for example, in any widespread way in the encampment at the University of Sydney or in the weekly protests that took place for so long. But I'm interested in your experiences. Have you seen antisemitism infiltrate the pro-Palestine movement, if I can put it that way, at UNSW?

DIYA SENGUPTA: I will say that, at UNSW, we are very conscious on this issue and specifically work with people who identify as anti-Zionist Jewish students to facilitate our events and to make it safe. We treat them the exact same way that we treat anybody from any different heritage or background. These are students and staff and guest lecturers who come in and speak about their experiences and how Zionism and antisemitism are not two ideologies that work with each other but, rather, two different things that are often weaponised by people who want to actively be antisemitic. For lack of a term, they are not the people who you will see going to these Palestine rallies because that is a movement that is inherently activist. That is a movement that is fighting for more rights for people. Frankly, they will not have trouble finding corners of social media where they are able to be antisemitic, and they do not need to hide behind this movement, especially on campus.

AKASH NAGARAJAN: I personally think that with UNSW specifically, UNSW has been better than other campuses regarding antisemitism. But there have been certain instances where specifically Jewish students who identify as Zionist and see Zionism as a core part of their Jewish identity have reported feeling unsafe on campus, purely because of the things that have been said to them. They've felt like they're being collectively held

responsible for the actions that the Israeli Government is doing. They might not agree with the actions that Israel is doing, but many of them see Zionism as a core part of their Jewish heritage and Jewish belief. There was a student general meeting that happened at UNSW that obviously was organised, and there were a few comments here and there that were quite antisemitic, like people were being told to go back to Europe. There have been a few antisemitic incidents that have happened at UNSW, and students are reporting that they're feeling unsafe.

The Hon. STEPHEN LAWRENCE: I might just go to Ms Nagle lastly, then. As the welfare officer, are you able to talk to what you've understood to be the experience of Jewish students since October 7?

NEEVE NAGLE: Yes, I can. I think that there's no doubt that there has been an uptick, like Angus was saying, in all kinds of racist sentiment on campus. Any increase, obviously, in antisemitism is very disturbing, and we as an organisation do condemn that unequivocally. That being said, it is essential for this inquiry to distinguish between the actual antisemitism and the criticism of Israeli State policy. In the context of universities, any lumping of these students together is incorrect, and no Jewish student should be held accountable for the larger actions of the Israeli Government. But I do think that it is possible for people to hijack this movement and try and actually be antisemitic. I don't think that's the larger goal of the movement at all. I think that it's extremist groups that exist in every corner of every single movement that will happily hijack it for their own purposes. Like what Diya said, these people aren't the ones turning up to the protest every single week because they believe in the plight of the Palestinian people. They just want to accelerate their own causes and their own beliefs. I think that they exist everywhere, but I think online spaces are primarily where they do proliferate.

The Hon. CHRIS RATH: I might start with you, Mr Fisher. The term "Globalise the intifada"—do you support that term or do you support that movement?

ANGUS FISHER: In terms of that term, it's obviously a term that is used by members and part of the sect of the Free Palestine Movement. It's important to recognise that the movement that's fighting for Palestinian liberation and freedom and against the genocide in Gaza is a very broad movement that focuses on a lot of beliefs. I think that's its strength in the fact that, for example, people who believe in a two-state solution versus a single-state solution can come together in a singular cause to believe that. In terms of the SRC, do we support that? I suppose on an absolute level, a motion might be passed, for example, at an SGM and, in absolute fact, it might get voted up. In that case, that becomes the SRC's policy for the year.

The Hon. CHRIS RATH: But you can understand how it could cause fear—immense fear, in fact—amongst Jewish students if they felt that that term or that movement meant an armed or aggressive uprising against Jewish students.

SHOVAN BHATTARAI: If I may, the term "intifada" in Arabic just means "a shaking off". Yes, that's right, it refers to the resistance of Palestinian people, who have faced 77 years of the ongoing project of colonialism and occupation and siege. This is a call—I think quite a just and supportable call—for attempts to globalise the movement in solidarity with the people who have faced 77 years of genocide. The attempts to single out this demand just because it has a word in Arabic for a struggle that centres around people who speak Arabic is quite dubious. Just like we say we support resistance in the climate movement, just like we say we support the resistance of the students and activists who fought against South African apartheid—in all of these instances, we stood with the people fighting against their oppression, and we stand for that in the case of Palestine also.

The Hon. CHRIS RATH: But hasn't the term also been used for an armed or aggressive uprising against Israel and against the Jewish community in the past? Hasn't that term been used in that way as well? It is not just simply "shake off"?

SHOVAN BHATTARAI: Resistance in the Palestine movement has taken many forms. As you can imagine, an occupied people for 77 years have had to come up with all sorts of forms of resistance, including many instances of peaceful resistance in which they have been met with extreme violence and snipers, such as in the 2019 Great March of Return, in which unarmed Palestinian protesters marched up to the walls of Israel trying to demand their freedom and peace, and were shot at by snipers. So, yes, there have been many different kinds of forms of resistance led by Palestinian people. Within our movement there are many different opinions about exactly what form that resistance should look like and take. But we are a broad movement that represents all those who want to stand up against the ethnic cleansing and genocide of now more than 55,000 people that has happened in the last two years in Palestine.

The Hon. CHRIS RATH: This morning I read an article from 14 June that you wrote, with the headline "SafeWork NSW's report on antisemitism at Sydney University is fake news". You wrote that?

SHOVAN BHATTARAI: Yes, that's right.

The Hon. CHRIS RATH: So is antisemitism at Sydney University fake news to you?

SHOVAN BHATTARAI: No, I don't think that antisemitism is a fake concept—not at all. As an anti-racist movement, as anti-racist activists, we of course oppose racism in all of its forms, and we have made that very clear in all of the activism we have organised. Importantly, what I mean when I say the report that was written by SafeWork NSW into antisemitism at university—when I call that fake news, I refer to the fact that, as I stated earlier, some of the instances complained about in this report that have been put forward include stickers that say "Free Palestine". The idea that this is rooted in antisemitism is simply ludicrous. They include the fact that students organised protests.

To claim that the organising of protests, that the use of megaphones, is antisemitism frankly makes a mockery of real antisemitism, which, as Angus mentioned earlier, is a real phenomenon in our society. But it is a phenomenon which the terms of reference of this inquiry give little credence to, which is that there is a massive rise in the far right and there is a huge neo-Nazi movement. The richest man in the world was found to do a Nazi salute at the inauguration of Donald Trump, one of the most televised events in the world. If you want to campaign about antisemitism, if you want to really point the finger at the source of these ideas, I think you have to point them squarely at the people responsible, and that is not the anti-racist, pro-Palestine campaign, which welcomes people in all forms, whatever their religious or ethnic background, if they oppose genocide.

The Hon. CHRIS RATH: And what about this billboard on the Cadigal Green at Sydney University that depicts a Hamas militant leader, Mohammed Deif? Is that a legitimate form of protest, to post the images of Hamas leaders on campus?

ANGUS FISHER: I'm unfamiliar with the circumstance you're referring to. But even if that was the case, I'd note that, for example, the encampment, which was the largest action organised, and at least partly organised and facilitated by the SRC—that would never have been the case. That simply wouldn't have been allowed. But as has been said and reiterated over and over again, honourable member, this is a very broad movement, and it's a movement that has debates and contestation within itself about the best way to achieve appropriate change. I think part of the struggle and part of the difficulty of any social movement or anything you're trying to do is that you have infighting and you have different ideas within the movement. That is the situation there that you're referring to.

The Hon. CHRIS RATH: But you would agree that a broad movement shouldn't include posting images of a Hamas leader on campus and promoting that type of hateful ideology. It can be broad and inclusive, but not that broad and inclusive. Wouldn't you agree?

ANGUS FISHER: It's always a difficulty with every movement to organise and to pick and choose who you want in and who you want out. Because this is effectively a grassroots movement of people who just want to stand up against injustice in the world, it's an impossible task to manage effective membership, which is obviously not the movement that we're existing in. I think the burden you're pushing on us, honourable member, is an impossible burden to describe.

The Hon. CHRIS RATH: Just back to this article, do you deny that this billboard existed?

SHOVAN BHATTARAI: The claim that was made in the SafeWork NSW article was that student activists in the pro-Palestine encampment paid for a giant billboard on campus on which the names of every listed Hamas terrorist were run through in a cycle at the encampment. This is a ludicrous claim. There has never been any such billboard. There's no photographic evidence. There's no evidence other than a complaint. As the Hon. Stephen Lawrence earlier mentioned, which I agree with, the idea that simply a complaint, in the absence of any evidence beyond that, is seen as enough evidence on which to base incredibly punitive, incredibly regressive new anti-protest policies by university administrations—I think that that is highly dubious.

The other claims made in the SafeWork NSW report include that students marched into a lecture hall chanting, "Jews, get out"—again, another absolutely ludicrous complaint. The idea that something like that could have happened at Sydney University without any evidence outside of one individual complaint arising from this matter—I think it's right to actually doubt the veracity of these complaints. We know that there is a contested political issue on the campus about Palestine. There are people who hold all sorts of different opinions, whether pro or anti the genocide that Israel has waged in the last two years. I think that there are reasons why our institutions want to take the side of one of section of the movement making these complaints and not the other. I think that we are perfectly right to actually demand a higher burden of proof when it comes to passing such punitive policy.

The Hon. CHRIS RATH: Well, I would say that your claim that this billboard didn't exist is indeed fake news, because I have a copy of a photo of the billboard here. I would like to table that for the Committee members and for you to look at. How can you make the claim in your article that the billboard didn't exist? You said nobody took a photo of this billboard that promotes Hamas terrorist leaders. You've made this wild claim and

wild accusation in your article when, indeed, this billboard did exist. What you need to explain, or what I would like to ask, is whether you think this is a legitimate form of freedom of speech at Sydney University.

SHOVAN BHATTARAI: If I may, I think the point stands that as one of the main organisers of the pro-Palestine encampment at Sydney University, who was there camping in a tent for many days, we never saw any of this billboard. I'm not able to see it at the moment, so I'm not sure what the photograph you're referencing refers to, if it's necessarily from the same protest or what have you. But in any case, the reality is that, from the front of the protest, none of the organisers of the protest have ever once made a reference that is rooted in antisemitism. In fact, on the contrary, very many leading activists of the pro-Palestine movement at Sydney University were themselves Jewish anti-Zionist students, who resented the fact that their beliefs, their heritage, were being used and weaponised to justify support for another genocide.

When it comes to freedom of speech on university campuses, I think it's right to say that there is a wide range of political views and opinions that many students hold in either direction. There are people in every camp who have a whole range of different views that are necessarily going to exist. It's a university. This is a place that is supposedly meant to be a place of freedom of speech and a clash of ideas, where people can work out, through disagreement and debate, a way forward. So the idea that even individual, isolated instances here and there that the university might take issue with could be used to try to silence entire criticism of the State of Israel or could be used to silence criticism of the genocide that our universities and Government have been complicit in I think is totally unacceptable.

Dr AMANDA COHN: I'm sure in preparing to come today you might have prepared an opening statement. In my two years in Parliament I've never seen any inquiry other than budget estimates where witnesses haven't been invited to make an opening statement before facing questions, so I'd like to offer my time for all of you to make your opening statements.

ANGUS FISHER: Thank you. I really appreciate that. I did prepare an opening statement, thank you, honourable member. I'll provide it as if I hadn't spoken yet, because why not? Thank you for having us today. I've really appreciated the opportunity to speak at this particular inquiry. I'm here with the Students' Representative Council of the University of Sydney. We are the peak undergraduate union at the University of Sydney. We represent 40,000 undergraduate students, who are automatically our members and can speak at council meetings. I'll note that every individual of the SRC who has an office bearer position is democratically elected each year. Last year we had 3,000 individuals who took part in these elections, so it's an entirely democratic process. Each of these office bearers receives induction training to be appropriate leadership individuals.

The thing I'd like to preface is that the SRC is against and resists all forms of discrimination and injustice, which, as I've noted, have increased in recent years due to the rise of the far right. That particularly also includes antisemitism. I think the issue at USyd has been well highlighted already, which I'm glad of, so I don't have to use too much time on this. We've conducted, with the support of the National Union of Students—the NUS—a People's Inquiry into Campus Free Speech on Palestine that found three things in particular that I think align closely with the University of Sydney. First is the notion that Australian universities are restricting speech on Palestine. I think that means there's a crisis of free speech and free debate.

I provide the example of the antisemitism definition as an example of this. For example, who is to say what the calling for the elimination of Israel is? There's ambiguity around that and it's up to the interpreter, and that is dangerous and that is risky. The second thing is that there has been increased surveillance, there has been increased discipline and there has effectively been police tactics used on our campus. A 6 November 2024 GIPA showed that the University of Sydney management had near daily surveillance over Students for Palestine, SRC and other related accounts because we were supporting this particular movement, which showcases a really close eye. In fact, these particular posts have been used in disciplinary proceedings, which is super worrying.

Lastly, university policies in and of themselves are targeting pro-Palestinian staff and also members. We've highlighted the Campus Access Policy, the five key policies, the Hodgkinson review civility rule in and of itself, even though this has obviously had the effect that the number of actions in terms of protest and debate have decreased dramatically. The SRC's position on antisemitism in particular is that we are obviously against it. I'll reiterate over and over again that we're an anti-racist organisation. We echo in particular the Jewish Council of Australia and Jews Against the Occupation '48 that the Jewish community is not a monolith and that the conflation of Judaism and Zionism can breed antisemitism.

This sensationalising, the exceptionalising and the politicising of antisemitism can fuel racism. This particular Committee—this inquiry—and also the Federal inquiry should be very notable and respect that in of itself. We're deeply concerned about the rise and the normalisation of the far right and its extremism, that being the key source of racism that we think this inquiry should focus on. We think that university should be a free space of good faith debate as well, which particularly includes contested spaces and contested ideas. During a Palestinian

genocide conducted by an apparently legitimised State of Israel, we should be able to speak up without being afraid of being punished on a university level or even worse.

DIYA SENGUPTA: I'll be speaking on behalf of the University of New South Wales Student Representative Council [UNSW SRC]. We are the student advocacy body on campus. We serve as a limb of our student union, which is Arc at UNSW, and we are made up of both councillors and office bearers who are elected to their roles. They are elected to serve as the bearer of whatever position they were elected to. I, for example, am the president. As a whole, the UNSW SRC stands for a community where all students are represented, regardless of their race, religion or cultural background. This includes firmly opposing all forms of antisemitism where present. What we reject, however, is conflating anti-Zionism with antisemitism. One is being against a political belief, whilst the other is being against the existence of a group of people. Conflating the two has been harmful to students across university campuses, many of whom are suffering disciplinary actions for acts of peaceful protest. At the UNSW SRC Students for Palestine general meeting, several guest speakers self-identified as Jewish anti-Zionists. Never were they isolated due to their heritage, something the UNSW SRC is staunchly against. Instead, they were uplifted alongside every other speaker, regardless of their background.

While we do not seek to minimise the experience of students who have experienced antisemitism, we believe that the scale of these incidents at UNSW specifically has not been a cause for alarm. We reject the notion that, should there have been more disciplinary measures, antisemitism on campus would have been minimised and eradicated. Rather, the instances that occur are so fringe that they are dealt with covertly and swiftly through the Conduct and Integrity unit. We do, however, have a concern about the acts of antisemitism occurring in Sydney more broadly. From racist graffiti to firebombs, our students feel the presence of these instances not only in their communities but also on social media. This activity occurs off campus, yet tangible impacts on Jewish students are felt across campus. This would undoubtedly affect their mental wellbeing, something that would unfortunately carry across their personal life and their studies at the university. To a student activist body, what fighting discrimination looks like is empowering students to engage in meaningful dialogue, political expression and broadcast, regardless of their background. Universities should be places of public discourse, critical thought and free political expression. They should be somewhere students are safe, represented and feel uplifted, regardless of their background.

The CHAIR: I might take the last opening statement on notice because you're in my time now, and I want to ask some questions. Starting with University of Sydney, how many Jewish members do you have in your SRC?

ANGUS FISHER: I can't give you an exact number because it's not a KPI we track. That would be a completely ridiculous thing to do. But I can tell you that we have Jewish members elected to office bearer positions and also council positions. One who comes to mind is the social justice office bearer, for example. I'll also note that, given that we have 40,000 undergraduate members, the entire University of Sydney undergraduate population can speak at council and can put forward motions at council that will become our policy. So whatever the Jewish population is of the University of Sydney undergraduate body is your answer there.

The CHAIR: UNSW?

DIYA SENGUPTA: Similarly, we do not track it. It's not something that is listed along with your name and your position. Once again, we represent all students at UNSW—not just undergraduate students—and they are free to move motions through our councillors and office bearers.

The CHAIR: UTS?

MIA CAMPBELL: We don't track it either, but I can tell you that we do have Jewish members on our SRC, alongside Palestinian members. We represent the 48,000 students at UTS, many of whom are Jewish, Palestinian, Arab and so many others. No, we don't track it either, but our campaigns have involved people beyond just our SRC as well, many of whom have been Jewish students.

The CHAIR: Do you believe that all Jewish students are sympathetic with the Palestinian plight?

ANGUS FISHER: Can you repeat that?

The CHAIR: Do you believe that all of the Jewish students in your university are sympathetic with the plight of the people in Palestine?

ANGUS FISHER: I would hope that everyone would be against a genocide of any people.

The CHAIR: You're not answering the question. The question was simple. Do you believe all Jewish people who are members of your SRC are sympathetic? The answer you gave me in relation to the Jewish people who are participating in the SRC is they are obviously people who are sympathetic. But we've received evidence

that in the Jewish population, probably no more than 5 per cent to 7 per cent would be in that category. What about the rest?

ANGUS FISHER: I would reject those numbers. But I'd also note that there are people who are involved with the SRC—perhaps not as much anymore as we take a more deliberate stance in our position and policy—who did not think that there was a genocide happening.

The CHAIR: Are the Jewish students at your university who are not supportive of the Palestinian plight, or simply don't want to be involved at all, being fairly treated, in your view?

ANGUS FISHER: In terms of the procedure policy of the SRC, they have a vote. They have the ability to put up a motion. They are treated no different from any other individual or student or office bearer.

The CHAIR: Do you believe that they may be afraid to put up a motion?

ANGUS FISHER: I don't think that's the case. They can even put up a motion on notice, and that's totally fine. We've had people who have had very strong beliefs in the opposite direction to what I myself hold put up motions before, and they've had no issues doing that. We've had people—

The CHAIR: We're talking about the current circumstances.

ANGUS FISHER: Yes, I'm talking about the current circumstances. People at the University of Sydney who don't think there's a genocide happening also are not scared to have their own action happening at the University of Sydney, calling on Mark Scott to resign because they aren't doing enough for Zionist Jewish students.

The CHAIR: The University of New South Wales, what do you say?

DIYA SENGUPTA: We think that no religion is a monolith. There will be people who have all different values and beliefs. I guess for us it's making sure that all students get adequate support, regardless of their experience, and directing them to those support services.

The CHAIR: Is your SRC, in your positions, democratically representing all of the members?

DIYA SENGUPTA: I think that all students have the right to put forward motions to be voted on, and they should not be barred from doing so in any capacity.

The CHAIR: UTS?

MIA CAMPBELL: I was elected on a platform that was openly pro-Palestine, and I got over 75 per cent of the vote. Our student representative council includes both Jewish and Palestinian members, as I've said, and all of our Palestine-related campaigns have been voted up unanimously in our SRC meetings. Our SRC meetings are also open to all students at UTS. I want to note that we know that we can never represent every single viewpoint within the student body. Our way of election imitates the elections of State and Federal governments in Australia, in which majority voices end up holding the most power. Our continuous engagement throughout the year with students through our services and campaigns, our open and transparent decision-making, and our cultivation of student collectives like the Queer Collective and the Ethnocultural Collective allow elected student representatives to be continuously engaging with a huge number of students beyond just the people that are on SRC.

The CHAIR: Do you offer outreach to Jewish students who may not be in agreeance with you—the minority? You're the majority. Do you offer them outreach?

MIA CAMPBELL: We offer them all of the same student services that are available to everyone.

The CHAIR: No, do you offer them outreach? Because obviously there are many that don't feel safe on campus.

MIA CAMPBELL: Not specifically, but we continuously reiterate to all students that our SRC meetings are open. All of our decisions are published on our website. We frequently use the social media.

The CHAIR: Do you honestly believe that they would turn up to an SRC meeting and feel safe?

MIA CAMPBELL: Unfortunately, that's the way that we can express democratic views. But we also have another way, which is that we can get responses through our social media platforms, through our emails. That's continuously where I get different issues from students raised. I have to say that over the last year and a half, we have not received more than one or two complaints against us for the different campaigns that we have run.

The CHAIR: New South Wales, do you believe that Jewish students feel safe with your representation and meetings?

DIYA SENGUPTA: I would echo what's been said by UTS because, similarly, our majority carries a big stake. To the minority groups, we just offer them the same outreach that we have with existing services. But also, specifically, the university broadly has offered a limb to AUJS and Jewish organisations to go directly through to Chancellery and Conduct and Integrity—

The CHAIR: But does your SRC reach out to Jewish students who may not be sympathetic with your view of the majority in the SRC?

DIYA SENGUPTA: Whenever we get reports—because occasionally we'll get reports our way—we deal with them the same way that we deal with anything else.

The CHAIR: And how is that?

DIYA SENGUPTA: We take the specific complaint and address it and investigate it, and refer it to the appropriate channels.

The CHAIR: What's the sanction if it's found to be true?

DIYA SENGUPTA: Frankly, that's often outside of the SRC's jurisdiction. It gets escalated to UNSW Conduct and Integrity.

The CHAIR: In other words, you do nothing.

DIYA SENGUPTA: In other words, it's outside the scope of my role to be able to deal with antisemitism on campus as a student representative.

The CHAIR: Okay, thank you. Sydney?

ANGUS FISHER: Can you just rephrase the question? It's been a minute now since you've spoken to UTS.

The CHAIR: Sorry, say that again.

ANGUS FISHER: Can you rephrase the question again? It's been a second since—

The CHAIR: I'm talking about how your SRC may deal with minority groups—minority Jewish students—who may not agree with your position. How can they actually feel safe if they turn up to an SRC meeting to put their position?

ANGUS FISHER: I can actually tell you straight up that Zionist Jews have told me that they feel safe in SRC meetings. A few weeks ago—

The CHAIR: Can you name them for me, please?

ANGUS FISHER: Yes, I can name you—they are representatives of AUJS, I believe. It was the secretary or vice-president, or someone like that. A few weeks ago we had a student general meeting—

The CHAIR: Will you take that on notice?

ANGUS FISHER: Take that on notice? Do you want the names? I can take that on notice and give you those names.

The CHAIR: Our time is up. Thank you very much for coming today.

(The witnesses withdrew.)

(Short adjournment)

Councillor SEAN CARMICHAEL, Deputy Mayor, Woollahra Municipal Council, sworn and examined

Councillor WILL NEMESH, Mayor, Waverley Council, sworn and examined

The CHAIR: Thank you for coming, Mr Carmichael and Mr Nemesh. Who would like to start with questions?

The Hon. SCOTT FARLOW: I think we should invite them to make an opening statement.

The CHAIR: I beg your pardon. Let's have an opening statement. Who would like to start?

WILL NEMESH: Good morning, Chair and Committee members. I would like to thank the New South Wales Parliament for establishing this important inquiry into antisemitism and for the invitation to speak today. Waverley is home to a thriving Jewish community that can trace its history back to the start of European settlement in Australia. Over many decades, the Jewish community has enriched our local area through arts and culture, business, education, and communal and civic leadership. Despite this long and enduring connection, the Jewish community within Waverley and more broadly across New South Wales has been subjected to an alarming rise of antisemitism, taking the form of targeted vandalism, hate speech and, in some cases, violence.

Antisemitism in all its forms poses a direct threat to the safety, wellbeing and social cohesion of our society, and cannot and should not be ignored. Therefore, combating antisemitism requires a coordinated effort across all tiers of government: local, State and Federal. Each level has a unique role to play in addressing social cohesion, ensuring public safety and fostering inclusive communities. As the level of government closest to the people, local councils have a pivotal role in this fight. Waverley has been especially proactive in combating racism generally, and antisemitism specifically, as outlined in our submission.

I would like to draw the Committee to several successful initiatives of Waverley Council that could be replicated across local government. The first is to adopt and endorse a local government strategy to combat antisemitism. Waverley is the first council in Australia to do this. The second is to collaborate with other councils and other levels of government on developing security frameworks. The third is to develop or initiate an internal council multicultural advisory committee or equivalent to promote social cohesion. The fourth is to provide grant funding for social cohesion programs and projects that also include social cohesion forums. And the last is to promote education initiatives in relation to Holocaust education and local Jewish communities. I would like to stress that local government should be about local issues and not focused on international affairs. This only serves to create division and erode trust.

SEAN CARMICHAEL: Thank you, Mr Chair and Committee members, for the opportunity to speak today. My name is Sean Carmichael. I am the Deputy Mayor of Woollahra and a Liberal councillor representing Bellevue Hill Ward, home to one of the largest Jewish communities in New South Wales. I'm here primarily as a community leader, but I also bring my perspective as a University of Sydney policy student. While a lapsed Anglican, I live in a kosher home with my partner of 7½ years, who is himself Jewish and practising. Woollahra's submission reflects our deep concern about the sharp rise in antisemitism over the past two years. We've seen more hateful graffiti, open threats and, shockingly, even car firebombings on our streets. There is a real climate of fear. Many Jewish residents feel less safe in their own neighbourhoods—and, indeed, so do all of us.

The council has acted. Woollahra has adopted the IHRA definition of antisemitism. Woollahra also supported the mayors of Sydney joint statement on social cohesion and has worked closely with New South Wales police to improve safety and inclusion for all. Our submission highlights that antisemitism threatens not only Jewish people, but the unity and safety of our entire community in New South Wales. We need better data, simpler reporting and stronger support from State and Federal governments. More funding must go to education and youth programs to teach respect and stop hate before it takes root. Security grants should allow councils to protect public streets and spaces, not just private sites. We call for changes to privacy laws so vulnerable residents are not exposed to doxing. On a personal note, my partner, a remarkably talented high school teacher, left the public education system last year after ongoing antisemitism made him feel unwelcome, unsafe and unsupported. This has shown me firsthand that antisemitism is not abstract. It disrupts lives, limits choice and causes tremendous pain.

As someone who's been openly gay since I was 14, the antisemitism we see today here in 2025 feels like it has backslid to the same social acceptability of homophobia that existed in the 1990s. I gently suggest to my progressive LGBT allies that the story of Iran in 1979 should serve to you as a warning, not a manual. The allyship you seek will never, ever be reciprocated. As deputy mayor, I want to thank both Premier Chris Minns and Opposition Leader Mark Speakman for treating antisemitism with the seriousness it deserves. I urge the Committee to think about Woollahra's recommendations so all communities in New South Wales may feel safe, included and respected.

The Hon. SCOTT FARLOW: Thank you very much, both to Councillor Carmichael and Mayor Nemesh, for appearing today. In what was seen as the summer of violence and antisemitism, your communities were particularly impacted and targeted by some of those attacks. What sort of costs did council incur as part of that response, and what are some of the actions the council had to take during that period for your community?

WILL NEMESH: Thank you for the question. There was definitely a feeling of fear on the streets. There was ongoing, targeted particular graffiti, but that also escalated to firebombings in Dover Heights and the targeting of other Jewish community institutions and also public domain. There was a considerable cost to council. I can take it on notice and provide the exact cost to you, but it wasn't insubstantial in terms of graffiti removal. We saw a huge spike in that. There was also damage to public domain, particularly when there were firebombings. We saw that down at Lewis' Continental Kitchen as well as in Dover Heights, and there were other examples as well. There was tangible costs in terms of fixing damage, but also there was the cost to the community, the psychological cost as well that occurred where people felt more vulnerable. The feedback to myself and my colleagues was that people were less willing and less able to go outdoors, spend time with friends and attend Jewish community events because of what was occurring.

SEAN CARMICHAEL: There's the three, Mr Chair. There's the direct cost incurred to council through things like graffiti removal policy, which has been in overdrive throughout the summer of antisemitism as you described. I mean, my own building was targeted in November last year as one such example. Excuse the language, but "Fuck Israel" was written across the front of our building, and I woke up to that one morning. My partner and many other residents of our own tower, for instance, were particularly distressed, thinking that they'd escaped from other war-torn places around the world for safety to come here to Sydney, Australia, and that now it was coming here, and they didn't feel safe. That is, I suppose, an indirect cost. For that direct cost financially, I'd need to consult with the general manager and table that formally to you on notice.

The indirect costs—the trauma of all of this not knowing, and the masking of it. Our immediate past mayor—and he said this on record—said his wife had to disguise her surname and make up other names for themselves so they didn't immediately expose the fact that they were Jewish in a public space when speaking with people. My partner has had to disguise his Star of David when walking around other parts of the city, such as Newtown, just for their own safety. The cost, indirectly, is incalculable for a city that prides itself on equity, diversity and inclusion.

The Hon. SCOTT FARLOW: To that point as well, in terms of the graffiti incidents, Mayor Nemesh, I know you outlined that in your submission with a map, effectively. It's extraordinary the number of sites that are encapsulated in that. I take it that these graffiti incidents—of course, we've seen many on homes. Councillor Carmichael, you indicated that on your own property. But are council premises also being targeted and attacked as well?

WILL NEMESH: To my knowledge, not council-owned assets directly, but private residences were certainly targeted in the public domain. It could be partly that council and its assets weren't targeted because we do have some CCTV in and around council-owned premises, but not in the public domain.

The Hon. SCOTT FARLOW: Is that similar in Woollahra as well, Councillor Carmichael?

SEAN CARMICHAEL: Our public assets were absolutely targeted. Woollahra Library has had swastikas scribbled all over it. When we were flying the Israeli flag at chambers as a statement of support for our community at the time, in the immediate aftermath of 7 October 2023, our flag was actively ripped down on several occasions in a very hostile act, and that came with financial costs. I think the flagpole needed replacing. Hate comes in many flavours. We've also had, on council power poles as well as other community assets, stickers likening Israel to Nazi Germany. I'd need to table that formally. They're acts of hate and they're read as that. The distinguishing feature between antisemitism and anti-Zionism is so blurry. What people don't often realise when they make an anti-Zionist statement is that it gets read differently. It's one thing to say it with one intent; it's another that gets read very differently. It makes people feel very unsafe when they think the world's closing in on them.

WILL NEMESH: Sorry, can I just add one thing? In particular, in the area that I live in, the Diamond Bay-Vaucluse area, there was a particular individual—he's now subsequently been caught; it was in the media—putting stickers on bus stops all around that area, in a particularly Jewish area. It would be probably around 50 per cent or 60 per cent Jewish. They had an image of a religious Jewish figure that said on there, "If I didn't steal the land, someone else would," and this would happen on a regular basis. I would often get phone calls from friends, family, acquaintances and members of the public on both my phones basically saying, "This is what's happening. We need to act. We feel really unsafe. We don't know where this can escalate to." There was a real feeling of vulnerability. But, then again, that example was on bus stops in the public domain, not on council assets specifically.

The Hon. SCOTT FARLOW: Councillor Carmichael, you raised the very valid point in terms of anti-Zionism, and that is something that the Committee has heard differing levels of evidence on. Some would say that anti-Zionism is the new antisemitism, and it provides people some excuse for being able to say things that would otherwise be antisemitic but they're designed as anti-Zionism. Others would say that there is a level of free speech, that you should be able to criticise an ideology such as Zionism and that you should be able to criticise the actions of a nation such as Israel in this regard. Where do your councils draw the line in terms of that point of where there is fair comment, in terms of the actions of a nation-state, and those where you see it as actually impacting upon your people and their identity?

SEAN CARMICHAEL: Woollahra council last year adopted the IHRA definition of antisemitism. That is a shorthand way to answer that question. No country, no state, no people are off limits from criticism where it's warranted. It's as simple as that. But when you go into excess overdrive, when you are doing nothing but criticising a single individual nation and when you are not focusing on your daily core business of whatever organisation that might be—in Woollahra's case, it is a municipal authority—when is that a bit too obsessive? That is the whole point the IHRA definition is trying to capture. It is to try and allow for that robust criticism where it is warranted and where it is deserved and then to say, "No, you can't go too far and allow this to go into a hate spree." That is what we are trying to do. I realise we have different points of view. If it is warranted, it deserves to be called out. Again, Woollahra is a local council. We probably shouldn't be talking about this too much. We should be talking more about roads, rates and rubbish where we can. Unfortunately, this is such a massive global issue and people do ask me to speak out. That is why we are talking about this in this context.

The Hon. SCOTT FARLOW: Councillor Nemesh?

WILL NEMESH: I have a very strong personal view on this matter. I believe that what we are seeing in relation to anti-Zionism sentiment very much has bordered straight into the territory of antisemitism. Having said that, from a council perspective and being a mayor of a council—and in my opening statement I mentioned it—local government should not be around international affairs. I have tried and will continue to try very hard to ensure that conversations around Israel specifically are not part of the council dialogue. Where there is a local impact, which there is when it comes to the Jewish community, absolutely that needs to be discussed. In light of that, both Woollahra and Waverley are undertaking the commissioning of a public artwork that will commemorate what occurred on October 7 and specifically the impact that it has had on the Jewish communities of both municipalities and also take into account rising antisemitism. That, I believe, is really where a core function of local government should be representing local communities. Discussing issues more broadly around international affairs becomes a bit of a minefield and erodes trust in local government.

The Hon. SCOTT FARLOW: Councillor Carmichael reflected on the joint position of the mayors. I think, Councillor Nemesh, you were one of the leaders of that position. I am interested in what progress that has made at a local government level across Sydney.

WILL NEMESH: I am pleased to say quite considerable. I will give two examples. The first is that the joint statement spoke around strengthening strategic frameworks between councils as part of our suite of documents and strategies we have. We have been working very collaboratively with the State Government and Multicultural NSW. I would like to put on record that they have been fantastic to work with and incredibly supportive of local government in this respect. About two weeks ago there was an online Zoom discussion with 80 attendees from councils all around New South Wales looking at putting together frameworks around social cohesion. That is something that is really quite important. The second thing that came out of that and is specific to Waverley is that a month later we were the first council to adopt a policy to combat antisemitism, which I am happy to talk more about if there are questions on that. That really is a landmark document that could and should be adopted by other councils around Australia, and that has really tangible actions that local councils and communities can do.

The Hon. STEPHEN LAWRENCE: Thank you both for coming along. It is much appreciated. I might start with you, Mr Mayor. Your submission on behalf of Waverley Council talks about key trends that you have observed. It's really helpful in that it structures these matters. I think I have a good understanding of the graffiti and vandalism issue—it has been well reported—and a good understanding of the firebombing and other criminal acts, which I note that I do regard as antisemitic, even though there has been this question of a criminal motive and so forth. I am interested in more detail, if you can, on the category that you identify as "harassment and intimidation", where Jewish individuals, particularly those wearing identifiable religious attire, have reported being subjected to verbal abuse and physical threats. Have you got more detail on that? Have you got any database or more detailed accounts of those matters?

WILL NEMESH: We do, and I'm happy to provide that, taken on notice.

The Hon. STEPHEN LAWRENCE: If you could, that would be really good.

WILL NEMESH: One of the key issues, I suppose, when discussing antisemitism or incidents is having a good set of data, and council has been tracking that. One of the motions I put forward that was endorsed by council was also providing that data to law enforcement and the NSW Jewish Board of Deputies, to have consistency. But there are many examples and many that have been also reported to me directly where someone is walking down the street with a kippah, easily identified as someone who is Jewish, on a Saturday, and someone will drive past and say, "Fuck Israel,"—pardon the language, but to hammer home exactly what's being said—or, "F the Jews." I've even witnessed such activities as well.

The Hon. STEPHEN LAWRENCE: The reason I ask about that is it seems to me that it might afford an opportunity to gauge the true extent of the rise of antisemitism, because this question of graffiti, vandalism and other criminal acts seems to have been somewhat clouded by this criminal conspiracy motive. This fellow overseas apparently was orchestrating it, and there will be views, I suppose, about whether those acts were antisemitic or not, although I certainly think they were and there have been some revelations about his personal feelings—if I can put it that way—as well. But it seems to me that this question of verbal abuse, harassment and threats on the street might give us some sort of insight into what truly is going on in the context of a lot of ambiguity and politicised discussions about what is antisemitism. That would be appreciated, if you could take it on notice. I might ask you, Councillor Carmichael, the same question. Are you able to provide any insights in that respect?

SEAN CARMICHAEL: In terms of formal data, I would need to take that on notice. Informal, anecdotal evidence, again, I'd source from my partner who has had to disguise when walking down the street. On Oxford Street one time, he was walking and someone saw his Star of David around his neck, on his necklace, and verbally abused him. I must say, and I'm pleased to say—anecdotally, anyway—it feels better in Sydney than it does in Melbourne. My partner and I went to Melbourne over the summer holidays, and we counted 15 times in the space of a week, walking through inner-city Melbourne, of people making mutterings, walking past him or outright scoffing at him and saying anti-Israeli comments.

Again, the distinguishing feature between antisemitism and anti-Zionism—you go to a shul or a synagogue, and I don't think I've ever been to one and not heard the word Israel in there. It's almost one and the same issue, almost. I know that it's distinguishing, but it's very hard to separate that out. The other aspect, I would say, with that data is that not all of it will be reported, whether it's to the board of deputies or to the New South Wales police. Some people do feel uncomfortable, or it's just too tedious to actually go and identify that, or they downplay it to themselves or someone downplays it to them. So the data, while it will be valuable, won't capture it all.

The Hon. STEPHEN LAWRENCE: There seem to me to be various extremes in this debate about the Middle East—if I can put it that way—and, obviously, different perceptions about what "conduct" means. For example, I don't think it's terribly unusual to hear people suggest—and this, I think, is one extreme of the debate—that the Palestinian flag is antisemitic or the chant "Free Palestine" is antisemitic because it's interpreted as representing the antithesis of Israel, I suppose. Then, on the other side of the debate, some people will take exception to the Star of David and immediately impute the actions of Israel to anyone that they suggest is identifying as Jewish or something of that nature. How do we, as a community, get past these extremes and get to a point where we have a better understanding of the distinction between states and individuals and also a better understanding, on the other side of this issue, of the Palestinian side of things, their grievance, why they have a flag and why they have legitimate aspirations for statehood? How do we get beyond these extremes, do you think, Councillor Carmichael?

SEAN CARMICHAEL: I think it starts with what the antisemitism round table that Mayor Nemesh and others got together to look at, and that's basically trying to build a better understanding with each other and breaking down barriers. I think, ultimately, that's what I would like to see: Sydneysiders getting together, talking with and understanding each other and where they're coming from, and just breaking bread with each other. It's such an important, basic act. When people get siloed with extreme language—whether it's in social media discourse or in online media proper or anywhere—it just pushes people into those siloed bubbles, and it makes it harder to break past that. The problem we've got, particularly for the State of New South Wales, is the Greater Sydney Basin is a multicultural melting pot. We will not survive if we can't live next to each other and understand each other and have a little degree of circumspection with each other. We just won't, so we need to deal with that.

The Hon. STEPHEN LAWRENCE: You've spoken very passionately about the personal impact on people feeling, I think you said, under siege or like the world is closing in—as a consequence, I think you were saying, of people conflating Jewish people with the actions of Israel and obviously expressing antisemitism. But do you also see that the conflation of criticism of Israel—particularly from Palestinian and Arab people with very genuinely held grievances and beliefs—with antisemitism is also incredibly harmful?

SEAN CARMICHAEL: I think there are a lot of very well intentioned people in this debate on all sides who are doing what they think is the right thing. What I would say at a higher, more abstract level—if you don't mind, I might actually read a little bit, just a small excerpt, from the IHRA definition speech I gave to council.

The Hon. STEPHEN LAWRENCE: Sure.

SEAN CARMICHAEL: Thank you, because I think, to get to the bottom of the wave of antisemitism, we do need some background:

... America has been key to global peace and prosperity since World War II. Criticism of Israel—

this is, by the way, from the elites that do know better as opposed to the masses, whether it's people at uni who are listening or so forth, trying to do the right thing—

is often a proxy for challenging American influence, and links into a broader and very familiar anti-Western alliance.

China has reclaimed Hong Kong and eyes Taiwan, Russia attacks Ukraine, and Hamas, backed by Iran, wants Israel gone – *from the River to the Sea*.

Unfortunately, debate around Israel is also poisoned by old Soviet propaganda. Terms like *imperialism*, *settler-colonialism* or *racism* ...

These terms that are ostensibly used today were actually "as pro-Soviet as they were anti-British and anti-American" back in the '70s. They were put forward by the Russians. My speech continued:

Driving the west out of the Middle East, fostering a pan-Arabian state as a Soviet '*Belt and Road*' ... pave the way for a global Soviet empire.

These off the shelf old terms are readymade for polluting this conflict. Add a vacuum of quality journalism in a warzone, AI, social media disinformation, and here we are.

Unfortunately, this global environment has energised what I see as two key groups:

... some in the hard environmental left already revel in the Soviet handbook's power.

They may not be loud about it, but ... They seek to remake our system into *eco-socialism* or *eco-Marxism* – an imported version of a global eco-colonial project far more ambitious and red than mere environmental sustainability.

These people seek to cancel Australia Day, deface War Memorials and statues—

This is all within the past two years, by the way—

break apart AUKUS, close Pine Gap, redefine proud moments of Australian history into sources of shame, and rally for months about a war that is so far away?

I take your point that there are good people in this, but why are we doing this? In this whole aggregate thing, it's actually madness. I told council:

Because this *imperial*, *settler colonial* Soviet propaganda is so powerfully corrosive to national psyche throughout western consumerist nation states. It is so brutally effective at inducing population malleability and compliance - in this case, to eventual eco-colonial takeover.

For them, Israel and the Jewish people are collateral damage in their broader quest for *roads, rates and revolution*.

From one of the last speakers, I heard about the far right. My speech noted:

Far right nationalists, who happily say Israel and Jews are part of a corrupt globalist agenda, are much more well-known.

We know about the George Soros tropes; I don't need to go into this. What I would say to you is, yes, I get that there are legitimate concerns about what's happening in Palestine. They are heart-wrenching images and, again, a nation like Israel, like Australia, like America, like anybody deserves criticism where it's warranted. But we just don't want to get into a thing where it's Israel, Israel, Israel, or Palestine, Palestine, Palestine, ever, because that's when it turns into antisemitism.

The Hon. STEPHEN LAWRENCE: Sure. But do you agree that the conflation of criticism of Israel with antisemitism is a very harmful factor in the public debate around these issues?

SEAN CARMICHAEL: Sorry, what do you mean?

The Hon. STEPHEN LAWRENCE: Do you agree that the conflation of criticism of Israel with antisemitism is a harmful driver of the debate?

SEAN CARMICHAEL: Yes, I do, absolutely.

The Hon. STEPHEN LAWRENCE: Thank you, Mr Carmichael. I appreciate that.

Dr AMANDA COHN: Your councils have adopted the IHRA definition of antisemitism. You've made that very clear in your opening statements and in your written submissions. It's a definition that's been criticised

by leading Australian experts in these matters. We've heard that evidence to this Committee. Do you accept that there is a degree of contention around that definition? If it weren't contentious, you wouldn't need to clarify that that's the definition that you've chosen to adopt in your local government strategies.

SEAN CARMICHAEL: That's to me, I assume?

Dr AMANDA COHN: To either or both of you.

SEAN CARMICHAEL: My opinion is it's the best definition we've got to work with and a lot of these rules, whether it's something like the IHRA definition or a planning and environment document, it doesn't actually matter, there is a degree of subjectivity involved and you need good, sensible players to be reading and interpreting these things at the time. And we have to rely on our systems and keep trust in our systems, as well, in order to do that. But I do think it's an effective tool, and so did our council.

WILL NEMESH: I also concur with Councillor Carmichael's description of that. The IHRA definition in and of itself is:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

I believe if we're going to talk about antisemitism, you need to be able to define it, and that is, I think, a very apt, succinct definition of what antisemitism is. Whether or not some people agree with that, I think, is somewhat immaterial to the fact that we need to have a definition. This is, I think, the most accurate definition of what can be described as antisemitism. It does go on to describe examples.

Dr AMANDA COHN: I have a follow-up question. You said then that you view it as immaterial whether or not people disagree. You've both put forward these local government antisemitism strategies to improve social cohesion, to reduce division, with stated goals and intents that are really admirable. Do you accept that if there are people in your communities, including members of the Jewish community, who you represent who disagree with the definition that you've adopted, that it might undermine some of the goals you're trying to achieve?

WILL NEMESH: In short, no.

SEAN CARMICHAEL: Council has adopted this position. This is what we're working with. Dare I say, the law is the law, so to speak. This isn't the law for the community itself, but this is a rule to govern our organisation. Having dealt with issues such as—I'll speak in a circumspect manner—individual staff members having differing positions, I think this is a good guidebook, if nothing else. The world is not perfect, but we need to have something, and this is what we've selected as a council.

Dr AMANDA COHN: To Woollahra, you made a passing comment earlier that in your view council should really be focusing on roads, rates and rubbish and not international issues. How do you reconcile that with having flown the Israeli flag for several months outside the local council chamber. It is the flag of a foreign nation-state. It's not an official Australian flag.

SEAN CARMICHAEL: Well, I'd also say that we have a sign in my street—which is incidental, by the way—"We stand with Ukraine because we stand with western civilisation". They are actually one and the same. An attack on one is an attack on the West, whether it's Israel or whether it's Ukraine. I don't want to be talking about this; I'd be running for Federal Parliament. I haven't given 20 years of my life in local government to try to get out of it. That's not why I'm here. I'm here because I care about the eastern suburbs of Sydney. I think it's the best place in the world and I'm trying to do my bit to hold it together.

But this international situation that we have is hurting the eastern suburbs. It's hurting my partner like you wouldn't believe. I am not ashamed of standing with my people, a lot of whom had relatives and family and friends in Israel at the time, grieving. It was a horrific attack. I don't know if you've heard from any of the survivors, but I was in tears afterwards. It reminded me of the exact same moment at the event that was attacked—sorry, I've forgotten it. The name's escaping me. I apologise. But it reminds me of the same experience of being on a gay cruise in 2017 in the United States—absolute freedom, but then it just goes absolutely downhill and the world starts attacking you, shooting at you and killing you. I just think that moment is lost. The fact that this was—

Dr AMANDA COHN: I'm really sorry to interrupt. I'm not trying to minimise your genuine distress or the genuine distress of people in your community.

SEAN CARMICHAEL: No, I understand.

Dr AMANDA COHN: I'm genuinely trying to clarify your understanding of the role of local government in international issues, when it's a council majority that you're a part of that's choosing to fly a foreign flag as official policy of the council.

SEAN CARMICHAEL: After a year of mourning, we have removed the flag. What we did was we dovetailed into the sculptural piece that we're now working on in Waverley. This was our view. I don't want to be talking about this, and none of us should be, ideally, but this has been too big to ignore. It's as simple as that.

The Hon. CHRIS RATH: To both of you, are things getting better now? What have you noticed in the immediate aftermath of October 7? I think over the summer, in particular in December and January, things were really bad. Are things getting better a little bit now in Woollahra and Waverley compared to where they were six months ago or a year ago?

WILL NEMESH: In short, I would say yes, and I would say that for a couple of reasons. One is that there has been very strong leadership on the issue of antisemitism in particular, and the community has seen that and felt safer, more valued and also respected. I think words matter. We've been very proactive in trying to reassure our community that we do know what is going on and we are taking action. Secondly, I think the police have done a wonderful job with the various strike forces and the taskings they've done, particularly in Operation Pearl, in providing physical security. There wouldn't be a time where you'd go up and down Old South Head Road and not see a police vehicle stopped out the front of a Jewish institution or some other community facility.

It was visible, it was noticeable, and people felt reassured by that, and by the ability of Waverley in particular to work with other councils more broadly outside of Waverley—Woollahra and Randwick and further afield—in addressing some of these issues. What I will say, though, is that there's a bit of a counter to that, and it's something I wanted to raise. It's very local government centric. Even though some people in the Jewish community are feeling safer—I think the vast majority, and that has been my lived experience—it has also affected others who are not Jewish but are worried about living next to Jewish institutions and whether they are going to be the subject or target of an attack.

This has come up particularly where DA applications are lodged. Jewish institutions, particularly synagogues, require a higher level of security. It could be blast walls, high fencing and CCTV cameras. There does exist this conflict with the neighbourhood or surrounding area and residents around how does council deal with this particular tension around DA applications for security. As I said, that is a very local government issue, but it is one that is quite real and alive. It is something that, as local councils, we should be taking very seriously.

The Hon. SCOTT FARLOW: To that point, I take it you're seeing a significant increase in these applications coming before council in terms of security implementation at some of these community organisations following all these attacks.

WILL NEMESH: There has been an increase, and there are even examples of synagogues that have requested additional public domain works—so, in areas that council owns, increased security measures—and that becomes a question of what to do with public land and balancing competing interests around security. They are very live issues that we're facing at the moment.

The Hon. STEPHEN LAWRENCE: Mr Mayor, in the Waverly submission you talk about the International Holocaust Remembrance Alliance [IHRA] definition, and you helpfully excerpt some of the specific examples of criticism of Israel that are said by the IHRA definition to be antisemitism. An example is denying the Jewish people their right to self-determination, for example, by claiming that the existence of a State of Israel is a racist endeavour. If you had a Palestinian resident who came to you and said, "I was expelled in 1967 from what is now Israel. I've been denied a right of return. I think Israel is a racist endeavour," is that resident an antisemite?

WILL NEMESH: There are strong views in terms of Israel and Palestine. What is crucial is understanding there are two peoples and both claim connection to the land. I think both are very valid. The Jewish people have had a connection to the land of Israel going back 6,000 years—that's undeniable. But, of course, there are others that have been living there as well, side by side. What is more productive is having—as Councillor Carmichael said, breaking bread and having one-on-one conversations. Respectful—

The Hon. STEPHEN LAWRENCE: That's probably right, but it is in your policy, so I think I'm entitled to ask you for a direct answer.

WILL NEMESH: In that particular example that was given, if it was just a flippant statement as you put—like "a racist endeavour"—would they be held to be antisemitic? In my view, they would be holding strong opinion, but probably not antisemitic in and of itself.

The Hon. STEPHEN LAWRENCE: I should say I wasn't putting it as a flippant statement. I was putting it as a statement from a person that had been expelled and then denied a right of return. Are they an antisemite if they say, "Israel is a racist endeavour"?

WILL NEMESH: I think it's complicated to give an assessment on someone's character based on a statement. That's where I made the point "flippant". The remark itself is obviously important. But a one-off statement doesn't go to the core of whether someone is an antisemite.

The Hon. STEPHEN LAWRENCE: It's obviously a hard question, and quite hypothetical, but it arises from the formal policy of a council and therefore I put it to you.

WILL NEMESH: What's important is, if somebody—and again, hypothetically here—with everything else going in the world with Russia and Ukraine, with issues that China has with the Uighurs and other conflicts, if there's an obsession or a singular focus just on Israel and there isn't a conversation or recognition of other conflicts—

The Hon. STEPHEN LAWRENCE: Except I'm talking about a hypothetical person who was themselves expelled and was themselves denied a right of return. Are they not entitled to a singular focus and to ask that sort of question of an elected representative in light of this policy?

WILL NEMESH: The beautiful thing about Australian democracy is we have free speech and the ability to talk about issues that are important. What the IHRA definition does is list examples of where there's repeated patterns of behaviour in relation to the definition of antisemitism.

The Hon. STEPHEN LAWRENCE: Except the person I've spoken of would probably, in a repetitive way, seek to advance their position, right?

WILL NEMESH: I don't know if we're getting into very hypothetical territory. Firstly, I've never had such an inquiry in my time of being on council for close to eight years. We're very much in hypothetical territory here.

The Hon. STEPHEN LAWRENCE: You might receive some, depending on how many viewers we've got.

WILL NEMESH: If they live in Waverley, I'm very happy to consider it.

The CHAIR: Okay, we have two minutes to go.

The Hon. STEPHEN LAWRENCE: I've got a few more, if there's time.

The CHAIR: I'm sure you do.

Dr AMANDA COHN: Can I just ask one and then I'll go—

The CHAIR: Yes, absolutely.

Dr AMANDA COHN: My question was for Councillor Nemesh. We heard from the owners of Lewis' Continental Kitchen that no member of Waverley Council visited them after the fire. Why was that? And have you now?

WILL NEMESH: I was in contact with the owner. I didn't visit at the time, but I was in regular contact. I can't speak of other councillors.

The Hon. STEPHEN LAWRENCE: Just lastly from me, I might go back to the same topic in terms of the IHRA definition and what's in the written submission. Another example given is drawing comparisons of contemporary Israeli policy to that of the Nazis. Obviously the Nazis are the example par excellence of state evil, if I can put it that way. It's often said that if you invoke the Nazis that you immediately lose the argument. But at what point, for example, are Palestinian Australians, perhaps even constituents of yours, entitled to draw that comparison, in light of what is going on in Gaza—the extent of human death, the extent of the destruction of all of the institutions and facilities of civilisation really?

WILL NEMESH: Fundamentally, the question is one of Holocaust education, and I don't believe there is enough of that education. Part of the strategy to combat antisemitism which council adopted was to partner with the Sydney Jewish Museum in particular, and other Jewish institutions, and work with them, particularly when it comes to our schools, to provide that necessary education. There is absolutely no equivalence between what occurred in World War II and what is happening in Israel. As the grandson of Holocaust survivors, I am more acutely aware of exactly what happened, and that was the complete and utter extermination of my family on one side. That was systematic, depraved and occurred—not just within the context of World War II, but the

discrimination that occurred well beyond then. Those scars, shall we say, are still within the family today. And I just make that point, that there is absolutely no equivalent.

The Hon. STEPHEN LAWRENCE: Yes, but we read in the papers of whole family lines being destroyed in Gaza. At what point is a Palestinian constituent of yours entitled to draw on the example of the ultimate evil to argue against such things, in terms of what is legitimate political discourse? Not to make a kind of technical comparison, because all genocides are different, but at what point in a political argument are they entitled to draw upon some comparison?

WILL NEMESH: Two things I would make—I respect the questions, but I do want to talk more around local government and what we're doing at the local government level rather than what is occurring in the Middle East and what is a genocide and what is not.

The Hon. STEPHEN LAWRENCE: I would not ask you, except it is in the formal council policy.

WILL NEMESH: I understand. Again, it goes back to education, and there is no equivalence between what happened in Nazi Germany to the Jews and what is occurring in Israel—absolutely none. At what point does somebody, you said, feel that, to paraphrase—sorry, can you repeat the question?

The Hon. STEPHEN LAWRENCE: Yes. I think I said, at what point is a person, for example, who may have had entire parts of their family destroyed, entitled to draw upon a comparison with the ultimate evil in some moral or ethical sense—it is obviously a question of degree—to make a political argument against what is happening?

WILL NEMESH: There are two very different circumstances. That's what I'll say on that. I don't want to prosecute a conversation around Israel and the history, and whether it is genocide. It's not what I'm here to really discuss at local government level. From a Waverley Council perspective, the IHRA definition was endorsed unanimously by council in 2021. The policy to combat antisemitism was endorsed by our council as well in March of this year.

The CHAIR: Thanks very much for coming. Did you take anything on notice? I do not think there was.

The Hon. STEPHEN LAWRENCE: There was one in relation to my question about the pattern of intimidation and threats.

The CHAIR: All right. Thank you very much for coming.

(The witnesses withdrew.)

Emeritus Professor STUART REES, AM, retired academic and founder of the Sydney Peace Foundation, sworn and examined

Dr PETER SLEZAK, Honorary Associate Professor in Philosophy, University of New South Wales, affirmed and examined

The CHAIR: Thank you very much for coming. Would either or both of you like to make a short opening statement?

STUART REES: Yes, I'm happy to. I suppose the first thing to say is that I've spent a lot of time in the Gaza Strip and on the West Bank. I've spent a lot of time also with Israeli human rights activists and peace negotiators. With regard to the written submission to the committee made a few months ago, I just make three simple points. The first is that for 40 years, off and on, on the campus of the University of Sydney and as an elected member of the governing body, the senate of the University of Sydney, I witnessed numerous examples of what I would call Islamophobia—attacks on Palestinians, attempts by certain groups of students to break up seminars about boycott, divestment, sanctions and to abuse a distinguished Palestinian doctor in the medical faculty. I saw no complaints were made about those incidents, yet we're now being told that antisemitism was rife. The very reverse happened in my observations. They are my observations as a long-term senior professor at the university.

The second point I'd make concerns the incidents that happened in 2003 when as director of the Sydney Peace Foundation, which awards Australia's only international prize for peace, we brought to this country a very distinguished Palestinian educator and politician, Dr Hanan Ashrawi. We were then subject, for about six months, to the most almighty abuse from all sorts of sources claiming that this this distinguished lady was an antisemite and why were people like me bring a terrorist to our midst? I'll finish that example by saying that spontaneously certain key citizens of this country came to my and Dr Hanan Ashrawi's support. One of them was Gough Whitlam, a former Prime Minister. Another was the former Dame Leoni Kramer, at that time the chairperson of the ABC and Chancellor of the University of Sydney, and the other person of course was the Hon. Bob Carr, former Premier and former Foreign Minister of this country,

The third one—and I'll try to be brief—concerned my observations about the encampment of students at Sydney University quite recently. Remember those students included fairly large numbers of Jewish students. They were a diverse group of people. I talked to them about human rights, about peace with justice. I witnessed absolutely no evidence of racism or antisemitism. Of course, there was a denunciation of what we now know to be—by *The Lancet's* estimates—about 62,000 deaths of disproportionately women and children. Quite how the protests about that slaughter could be dubbed antisemitism bewilders me. There's lots of other pretty convincing evidence I could give about the claims about antisemitism. But for elderly academics to speak for too long is an abuse of power, I think, so I'd better close at this point.

PETER SLEZAK: If I may, I'd like to make a brief statement as well. My parents were survivors of the Nazi Holocaust. My mother and grandmother survived the Auschwitz concentration camp, where most of my family were murdered in the gas chambers. I was born in 1947, immediately after the Holocaust. I grew up hearing my parents' and my grandmother's stories, so I think I know antisemitism when I see it, and so did they. It's very important that neither I nor my parents ever experienced antisemitism growing up here in Australia. I think that's an extremely significant fact, in light of the current what I'd like to call hysteria. In other words, I know what antisemitism looks like, and it's to desecrate the memory of my parents and the victims of true antisemitism—of which there is some, undoubtedly—when it's weaponised to silence justified criticism of Israel's crimes.

Among prominent Jews who understand antisemitism is the significant American Jewish scholar Norman Finkelstein. I suggest we should heed his warning when he says, "The real enemies of the Jews are those who debase the memory of Jewish suffering by equating principled opposition to Israel's illegal and immoral policies with antisemitism." Those who debase the memory of Jewish suffering in this way include organisations such as the Executive Council of Australian Jewry and a number of other leading Jewish organisations in this country. ECAJ and others are apologists for the crimes of the State of Israel, and they shamefully equate opposition to those crimes with antisemitism.

We must ask why has antisemitism supposedly exploded since 7 October 2023—the concern of this inquiry? I've only got a short amount of time, and the short answer is it hasn't. I provide a longer answer in my submission, which I have tabled together with published articles and speeches I've given to rallies, where I've been proud to appear for Gaza in Sydney. These rallies, which are of course part of your concern here, have been condemned as hotbeds of antisemitic Jew hatred, but they're not. I'm among several Jews who regularly appear at these rallies to speak, and every week now for well over a year we are joined by a prominent, visible presence in the crowd, including Jews holding the large banner "Jews Against the Occupation". In my speeches I always make

a shout-out to that group so it's on the public record that there are Jews here and it's not unsafe and there's no antisemitism there.

I might add, I've been to every rally for over a year, including previous years, and I have never seen any hint of antisemitism at any of the rallies. If you're going to find antisemitism as a result of what's going on in Israel and Palestine, you'd think you'd find it there. I'm privileged to be very close to the Palestine activist movement. Particularly the student encampment at Sydney University—as significantly at American universities—has been condemned as making Jewish students unsafe. I was regularly at these encampments, where I also spoke, and there was also a significant presence of Jewish students and Jewish academic staff. An important point that I want to make is that being uncomfortable by chance or seeing a Palestinian keffiyeh scarf is not the same as being unsafe.

I'd like to end by referring to matters which will undoubtedly come up and have been discussed: the whole issue of the IHRA definition. The IHRA definition is notorious, and there's huge literature about what a scandal it is. It is a pernicious definition. It's not the definition, which is too vague to make sense of, but it's always accompanied with 11 examples, of which more than half are about Israel. This is a scandal. In fact, what's rather interesting is that several hundred authorities—Jews who are experts on the Holocaust and on antisemitism—have drafted an alternative definition, the Jerusalem Declaration on Antisemitism, which sensibly doesn't mention Israel. If you really care about antisemitism, you'll adopt the JDA and not go on about criticism of Israel.

Finally, I'd like to say that the question arose just a moment ago before we came up here about whether Israel is a racist endeavour. I have a lot to say about that in my documents, but I'll just mention the fact that hasn't been mentioned, as far as I can tell, that the leading human rights organisations—Human Rights Watch, Amnesty International and Israel's own B'Tselem—have published immense reports documenting that Israel is a supremacist, apartheid State. So the answer to, "Is Israel racist or Zionism a racist endeavour?" according to the IHRA definition, of course it is. If you wanted clear evidence of that, in 2018 Israel passed a nation-state law. The nation-state law now declares that Israel is the State of the Jewish people only. Twenty per cent of the citizens of Israel are not Jewish. That's one of the central questions in terms of whether antisemitism is something we should be concerned or obsessed about. Let me just end with one sentence. In light of what's going on in Gaza and the West Bank, it's an obscenity to be obsessed about antisemitism when there's a plausible genocide going on, and that's where I think we should be paying attention.

The Hon. STEPHEN LAWRENCE: Dr Slezak, I want to read to you something that Mark Leibler tweeted on 8 February 2025.

PETER SLEZAK: I could tell you what it is off by heart.

The Hon. STEPHEN LAWRENCE: He tweeted:

Nothing, but nothing, is worse than those Jews who level totally unfounded allegations of genocide and ethnic cleansing against the State of Israel. They are repulsive and revolting human beings. Their relatives who were murdered by the Nazis - the role models for Hamas - will undoubtedly be turning in their graves. Their avowed anti Zionism is clearly no more than a cover for the reality that they are vicious antisemites.

I might put that to you, because I think he's talking about someone just like you.

PETER SLEZAK: He's talking about me, yes.

The Hon. STEPHEN LAWRENCE: What's your response to those statements?

PETER SLEZAK: Where do I begin? You've heard what I've said. If you read what I'm tabling—mind you, there's a great deal of concern about that kind of remark from Leibler, who, I have to say, is notorious for his role as an apologist for the crimes of the State of Israel—I don't think you can put it any differently. In a way, I'm sort of lost for words. Someone like me—and I've told you my credentials—he's now saying that I'm a disgrace. What—to my parents or that I don't understand?

The Hon. STEPHEN LAWRENCE: He says that you're a repulsive and revolting human being.

PETER SLEZAK: I'll let you judge that. I mean, what am I supposed to say to that? I'm standing for international law and human rights. How can one answer that kind of personal abuse? Not only am I standing for international law and human rights, the Palestinian movement is, similarly. I've got quotes from the leading Palestinians, who are very clear about their ambition and hope for the future, which is in a cooperative, secure State, sharing the State with Jews in equality, in justice and in peace. If promoting that warrants this kind of abuse, I'm lost for words, because really I don't think there's a sensible answer to such a stupid accusation.

The Hon. STEPHEN LAWRENCE: Do you regard that tweet as antisemitic itself?

PETER SLEZAK: Well, not if it's directed to me. I mean, it's a bit hard. People like me are called self-hating Jews. That's the best they can do. It's hard to accuse people like me, given my track record. It's not antisemitic. It's an attempt to push back against the justified criticism. Look, resorting to ad hominem personal abuse shows you how weak the other side is. In fact, if you look at the documents that are produced by Leibler, the Zionist Federation and the Executive Council of Australian Jewry, I've exchanged a lot in print with them, and I will list the litany of crimes that the State of Israel is guilty of, according to international law and human rights organisations. They never respond to that. Instead they resort to personal abuse. Their answer is ad hominem accusation. Even if all of us are antisemites, that doesn't let Israel off the hook for the crimes it's committing. That's the simple answer. It's an irrelevant thing to be bellyaching about our alleged failures as racists. Even if we're all racists, how does that answer the immense evidence of Israel's crimes, which is what all of us and the Palestinian movement and the demonstrations are all about?

The Hon. STEPHEN LAWRENCE: Are you aware of the Bruce Hodgkinson, SC—or KC, I'm not quite sure—independent review into the way the University of Sydney has handled—

PETER SLEZAK: I've heard of it. You'd have to remind me. I don't know exactly what that was, no.

The Hon. STEPHEN LAWRENCE: I see Dr Rees saying that he has.

STUART REES: Yes, I'm aware of it. Look, it's a self-fulfilling prophecy. You employ this gentleman to confirm evidence for which there were widespread advertisements and widespread invitations for people to contribute to the outcome of the story, which the SC then dutifully produces. I'm highly sceptical of that. There is other, much more substantial research evidence, which I'm going to present to the Vice-Chancellor of the University of Sydney in two days time, saying that you and the other Go8 were very naughty to swallow this Bruce Hodgkinson report, which you paid for enormously. What else did you expect? You paid for the evidence that you said you wanted in advance, a priori. That wouldn't pass muster in research 101 principles. That's the problem.

The Hon. STEPHEN LAWRENCE: Mr Hodgkinson makes a recommendation that it should be academic misconduct to utter a phrase or a word and not convey the contested interpretation of it—not say what you intend it to mean. The example that arises from his document as the pre-eminent one is, "From the river to the sea, Palestine will be free." He is clearly suggesting that if students don't convey what they mean by that and say, in particular, that they are talking about a one-state solution where Jewish people will be allowed to remain and respected, it's academic misconduct. I want to ask you a few questions about that suggestion. Firstly, for you both, as academics, do you think it's workable or plausible or reasonable to put a fetter on free speech at universities that requires students to explain, whenever they make a particular statement, which of the contested interpretations they intend to convey in making that statement?

STUART REES: It would be a terrible shame if the recommendation from Bruce Hodgkinson, SC, was to become the principle which governed the nature of free speech. In the 40 years that I've been on that campus, we created a brilliant centre for human rights investigations around the world, including in the civil war in Sri Lanka, in West Papua and, in particular, in the Gaza Strip and on the West Bank. We were not limited in any way, because the culture of the university at that time—as illustrated by the attitudes of people like Gough Whitlam, Bob Carr and, indeed, Dame Leonie Kramer, who was regarded as being to the right of Genghis Khan—was a culture of reciprocity and professional respect. That appears to have been lost by this recommendation, partly because the gentleman concerned, even if he might be an eminent lawyer, has never been from the river to the sea, has never made direct observations and therefore has no understanding of what that really means. At this point, I'd better defer to my wonderful colleague, because I usually do.

PETER SLEZAK: I'd like to respond to your question. It's a very good question. Let me explain how that slogan—the chant at every rally, which I participate in—is understood by the leading Palestinians. I'll quote from them. For example, in America the Palestinian Rashida Tlaib said that if you want to understand what it means, it's not hard. Here's a Palestinian woman. She says that it's a "call for freedom, human rights and peaceful coexistence". It's not a call for "death, destruction or hate", as it's always smeared. Let me also quote my colleague Dr Lana Tatour, a Palestinian woman at the University of New South Wales. She said:

They ought to listen to Palestinians who have been articulating liberation as an inclusive project of equal rights for all.

She says this liberation means:

... equality for all the inhabitants of the land and the dismantling of the settler colonialism and the apartheid regime that exist now.

This is the demand for "the right of Palestinians to live in dignity and equality in their homeland". Let me quote one more, which I think is very important—because your question is an important one—to show you the resort to smearing what is perfectly clear. You don't need to explain it.

Let me quote to you the president of the Australia Palestine Advocacy Network. I was a founding member of the APAN for 10 years. He said, eloquently:

The call is 'a vision for a shared political reality beyond Israel's current brutal colonial apartheid. It should not be controversial for Palestinians to reject oppression or to aspire for liberation, to live a life in their own homeland, free from Israel's racist system of control' ...

That's why we say Palestine will be free from the River to the Sea for everyone.

He said further:

And if you have a problem with everyone being free, because you only want some people to be free, the problem is not the chant, the problem is you.

The Hon. STEPHEN LAWRENCE: The author of that report is, as I understand it, an employment lawyer. There is no reference in the independent review, to any material extent, to human rights jurisprudence or free speech jurisprudence. How does the University of Sydney—such an eminent institution—fall for such a legalistic but heavy-handed infringement on free speech?

STUART REES: History, I think, is made by the people who tell the best stories. For almost all of my life, the dominant narrative has come from the Zionist lobby. The university, somewhat stupidly, has fallen for this. Because one lobby is dominant and says that antisemitism exists and we must have an antisemitism envoy repeat that it exists, doesn't mean to say that it exists. I experienced that, as I mentioned, in 2003 when the abuse hurled at the very distinguished Hanan Ashrawi. We had to wait until people like Gough Whitlam, Leonie Kramer, Bob Carr and the brilliant political journalist of *The Sydney Morning Herald* at that time Alan Ramsey said, "This is a nonsense. You people must stop." That was significant because it was almost the first time in this country that we were enabled to discuss openly the Palestinian-Israeli conflict. Prior to that date it had almost entirely been suppressed and only one narrative could be heard.

The CHAIR: Dr Slezak, would you like to table those documents you're quoting from?

PETER SLEZAK: Yes, how do I do that? They're here.

The CHAIR: Hand them to the secretariat.

The Hon. CHRIS RATH: You're quite dismissive of any increases in antisemitism over the last two years. Do you not consider the recent vandalism and firebombings acts of antisemitism in any way?

PETER SLEZAK: Are you asking me?

The Hon. CHRIS RATH: To both of you. You've both made comments dismissive of recent waves of antisemitism.

STUART REES: I'm pretty dismissive. I think there's something, which historically in other parts of the country with similar issues—most notably with the teddy boy uproar in Britain, there has been a moral panic. And yet, if we look at the evidence—I've looked at the 700 submissions to the Federal Parliament's inquiry. I suspect that when the evidence is concluded, less than 10 per cent of the estimated 700 submissions will show any evidence to confirm what's being said. I don't deny for one minute that certain people have experienced antisemitism. Certain people have experienced Islamophobia and homophobia, but to listen to certain Federal politicians saying that this phenomenon has reached epidemic proportions is grossly irresponsible. For a certain amount of time, it became a distraction from one of the most unhumanitarian slaughters of innocent people—tens of thousands of them—nightly on our screens. I'll just repeat: How on earth the charges about antisemitism should be used to deflect attention from one of the worst slaughters since the Second World War, I am at a loss to explain.

PETER SLEZAK: If I could add to the specific question you ask about those cases of apparent antisemitism, firstly, the graffiti usually—as far as I could tell, most of them—didn't refer to Jews; it referred to Zionists. If I can quote them, to say "Fuck Zionism" and "Fuck Israel" is not antisemitism.

The Hon. CHRIS RATH: What if it was "F the Jews"?

PETER SLEZAK: Okay, that certainly is. But the question is how legitimate were they? Were they a genuine reflection of some sort of meaningful antisemitism in the community? Overwhelmingly, the evidence looks like this was a put-up job by people that were paid from unknown sources. Why did it disappear immediately after the hysteria made the newspapers? Why isn't there any more evidence of it? If it's a plague of antisemitism, why is it suddenly no longer visible?

The Hon. CHRIS RATH: What about on 9 October, when an angry mob marched on the Opera House?

PETER SLEZAK: No, I was there. It wasn't an angry mob. You're going to tell me the antisemitism slogans that were chanted.

The Hon. CHRIS RATH: "F the Jews" was definitely—

PETER SLEZAK: No, the tape was apparently doctored. In fact, I was there. Whatever happened in that melee that you can see in the video—firstly, the video hasn't been released for forensic investigation. I'm telling you that I was there. I was at every rally for over a year. There are never any chants of antisemitism at any of them. Clearly, one can't take seriously whatever was supposed to have happened. The evidence of that particular case is very unclear and not worth taking seriously.

The Hon. CHRIS RATH: What about a statement such as, "We have a duty to make Jews uncomfortable"?

PETER SLEZAK: I have said that. You're quoting me.

The Hon. CHRIS RATH: Yes, you have. Is that an antisemitic—

PETER SLEZAK: I misquoted Randa Abdel-Fattah. I apologise for that. In print, I corrected what I said. She talked about Zionists. I am able to say that I think we should make Jews uncomfortable. Let me perhaps spell that out a bit clearly. I need to explain that. In stuff I've been writing, I actually quote other Jewish figures. In fact, I said this to a distinguished rabbi when I told him that I was criticised for saying that. He answered me by saying, "No, Jews should not be uncomfortable; they should be ashamed." Let me explain. I quote a rabbi, the famous Joshua Heschel, who marched with Martin Luther King for civil rights in America. He made a point that is relevant. He said, "Some are guilty, but all"—I have forgotten the quote—"are responsible." He said that some are guilty—some commit the atrocities or crimes—but everybody should take responsibility for them.

There's another quote that helps explain this. Famously, Desmond Tutu said, "In cases of injustice, to be silent is to side with the perpetrator." The slogans that Jews actually use say the same things but a little bit obliquely. Jews at rallies and elsewhere say, "Not in my name," and, "Silence is complicity." That's just saying what I'm saying. If one Jew is saying, "It is not in my name," they're saying to other Jews, "Is it in your name?" The fact of the matter is that Jews can't avoid the fact that the State of Israel is claiming to act on behalf of all Jews. The Jewish organisations claim to represent all Jews—the Jewish Board of Deputies and the Australia/Israel and Jewish Affairs Council. It's not an option for a Jew to sit on the fence and not say anything. It's a responsibility we have to dissociate ourselves from the horrors that you have referred to. I'm saying not just that Jews should feel uncomfortable but they have a responsibility to dissociate themselves from the crimes that are being committed in their name.

The Hon. CHRIS RATH: What is antisemitism to you, then? It seems like almost nothing is antisemitism.

PETER SLEZAK: That's not true. It's very simple: Antisemitism is a racist attitude that is hate against Jews for being Jews, not for what they do. It's for what they are. I make a remark. I don't know if I said it in my speech. If it were Buddhists that were committing the crimes, we would be just as angry and just as full of outrage. It's not about the fact that these people have an ethnic origin; the trouble is that Israel and the Zionist organisations have played on conflating this. It's notorious. I've got quotes in these documents going back as far as Abba Eban, the famous Israeli representative of the United Nations. He says very openly, "When we're dealing with the gentiles, we should make out that criticism of Israel is antisemitism."

The Hon. CHRIS RATH: But you're not protesting out the front of the Israeli embassy or consulate; you're making comments like, "We have a duty to make Jews uncomfortable," and then you point to a Jewish student and say, "And that includes that fellow over there." Surely, that is quite an anti—

PETER SLEZAK: What was that fellow doing? He was holding up a blood-soaked Israeli flag, which is responsible for a genocide. Of course he should feel uncomfortable. He should be ashamed. It's a disgrace. I'm being accused of making him unsafe. That's bullshit.

STUART REES: I think it's a very reasonable question you ask about whether there has been an exaggeration in the claims about antisemitism. Let me refer to a very substantial piece of research by Michael West Media, a highly reputed organisation, which had undue influence on the thinking and recommendations of the Go8 group of vice-chancellors. I don't want to drown your Committee in figures, but it will only take 60 seconds. In August 2024 the Zionist Federation of Australia and the Union of Jewish Students sent in 3,330 invitations to students seeking evidence of experiences of antisemitism. Some 560—17 per cent only—responded to the invitation. Of the 17 per cent, 360 of them—namely, about two-thirds or 64 per cent—said, yes, they experienced antisemitism. Even the Zionist Federation of Australia acknowledged that only 7 per cent of Jewish students actually experienced antisemitism, but the figures also suggested that two-thirds of the 17 per cent experienced antisemitism.

The report that so impressed these uncritical vice-chancellors was that two-thirds experienced antisemitism, when the evidence shows that 93 per cent of the total sample did not experience antisemitism. That is the evidence for the beat-up and the claims of awful exaggeration. I have spoken to the Go8 and told them, "Sorry, you are supposed to be the leading scholars. You didn't read the research. You didn't read the figures correctly." It's interesting that some of them have now—for example, the Vice-Chancellor of the Australian National University—rejected the attempt to impose a definition of antisemitism and punish students and staff for not complying with it. Subsequently, as a result of evidence of the kind that I have mentioned, they have, at least at the ANU, revised their judgement.

Dr AMANDA COHN: There has been significant discussion about the IHRA definition and, Mr Slezak, you mentioned it again in your opening statement. You have helpfully proposed an alternative definition that the Committee should be considering. Could you talk us through the Jerusalem declaration and why you think it's a more appropriate definition?

PETER SLEZAK: Yes. Again, in the documents I have submitted, I have given several articles by leading Jews who are authorities on antisemitism and the Holocaust. They have been very critical of it. There is a very large literature which is addressing exactly that question. I can only be very brief in summary, and thank you for that question. Again, to repeat, there is also a very large literature on the shortcomings and the scandalous, pernicious aspects of the IHRA. To repeat, more than half of the examples that are given are about criticism, which are included in the one we talked about before where Israel is a racist endeavour. It's completely inappropriate, and leading scholars have pointed this out extensively in the literature. As a result of that, again, Jews who are experts on the Holocaust and antisemitism drafted a definition—which I have referred to and which you can find in my material—where they explained what antisemitism is and which makes no reference to Israel.

My point is that, if you really care about antisemitism—for all of the organisations that are promoting the IHRA definition or versions of it that the universities have adopted—you would adopt the JDA if you need one. A lot of universities rightly point out that you shouldn't need a definition of antisemitism. They have got anti-racist principles which are general. You don't need one for anti-Hindu and anti-Buddhist and anti-Jew and anti every other kind. They have perfectly appropriate anti-racist principles and they recognise that. But because there's this moral panic and people need to show their credentials—okay, adopt the JDA to show that you care about antisemitism specifically, and then you're not vulnerable to these justified criticisms that you're trying to silence criticism of Israel, which is what the IHRA does.

STUART REES: It's interesting that the JDA—the 200 Jewish scholars who produced that definition that Peter has just referred to—was partly in response to Mr Stern, the author of the IHRA definition, reminding people that he had no intention that it should be the golden yardstick by which to measure antisemitism. It was meant to be a discussion document, not the standard from which to penalise people or punish people if they did not comply with it. So the author of the IHRA definition was extremely cautious and careful in adding that caveat: Please don't use this as the yardstick to brandish claims about antisemitism.

PETER SLEZAK: If I could add, he was more explicit. Kenneth Stern said it's being weaponised to silence criticism of Israel. He was very clear—that was the author of the IHRA statement. So anybody with any integrity would drop it.

Dr AMANDA COHN: Dr Slezak, you're a second generation Holocaust survivor. I'm a third generation Holocaust survivor. To what extent do you see principles of social justice or standing up for other groups of persecuted people as part of your Jewish identity?

PETER SLEZAK: It's an interesting question. One of the lessons from the Holocaust that we're supposed to have learned is the slogan which Jews have been using. They say, "Never again." The trouble with that is, sadly, shamefully, Jews have interpreted that to mean never again only to Jews, but actually it should mean never again to anybody. To their credit, in America, at the front of the civil rights movement were Jews. In South Africa, people at the forefront of the anti-apartheid movement were Jews. So we have responsibility. In fact, one of the most important exemplars of what I'm describing was Hannah Arendt, the Jewish woman who covered the Eichmann trial. Your question is very important historically, because she was criticised because she was criticising the prosecutor of Eichmann, who wanted to make up Eichmann's crimes in the Holocaust as crimes against the Jews, and she said, "No, they were crimes against humanity." She got into trouble with the Jewish organisations who didn't like the fact that she was generalising it.

So your question is a very deep and very important one about we, as Jews, having a lesson that we should learn, and that's why, as I say, the exemplary cases are Jews who stand up for human rights and, particularly in this case, the ones who are standing up for the Palestinians. I'm thinking of Norman Finkelstein and Noam Chomsky and, in Israel, Gideon Levy and Amira Hass and, around the world, Ilan Pappé the historian. They're at the forefront. Many of them, like Amira Hass—she has Holocaust parents as well, and so does

Norman Finkelstein, so it's the right lesson to learn. Thank you for your question. It's a very deep and very important one.

STUART REES: It's an interesting question in respect of what's going on at the moment in the claims about how brave five countries have been to condemn two thugs in the Netanyahu Government. Gideon Levy, the very distinguished Israeli journalist, said no, these sanctions should be against all the people of Israel—not just the Government but the people of Israel, who are complicit in the genocide. Stop the differentiation. It's a cowardly cop-out to feel good only about sanctioning a couple of religious zealot thugs.

PETER SLEZAK: If I could just add one more example—sorry, I forgot one important example to your question when I was thinking. One of the most important scholars on Gaza and experts on Hamas is the Harvard professor Sara Roy at the Harvard Centre for Middle Eastern Studies. She's a Jewish woman whose parents are Holocaust survivors, and she's the leading supporter of human rights for Palestinians in the line of the others that I mentioned. I just wanted to add her name to that list of exemplary Jews who understand the Holocaust because they grew up with it, as she did.

The Hon. GREG DONNELLY: Thank you for the bundle of papers, Dr Slezak. The one dated 3 April 2025, which I presume is one of the more current ones, is from the publication *Pearls and Irritations* that you're obviously well familiar with. I just wanted to compare two quotes and seek your opinion first and then the opinion of Dr Rees. On the first page, about halfway down, you say—this is a quote from the paper or the speech—“Saying ‘F**k Israel’ or ‘F**k Zionism’ is not antisemitic.” You say that.

PETER SLEZAK: I repeated that here.

The Hon. GREG DONNELLY: Yes, indeed. I'm just reconciling it with something that has been in the media in the last few days—the last 36 hours or so—about a casual lecturer at the University of Sydney. I'm reading from a newspaper article, so take it for what it is. It's *The Sunday Telegraph*, so I'm not saying it's necessarily a journal of record, but I'll just read the quote. It says that Palestinian activist and biology teacher Fahad Ali apparently retweeted a statement that says, “F**k sanctions, I want Zionists executed like we executed Nazis”. It's clearly not an identical set of words, but there's overlap between the words: using the f-word and the issue of—I have to say it's more extreme. I accept that, if you would be prepared to accept that. But the issue of “Saying, ‘F**k Israel’ or ‘F**k Zionism’”—where do we see that there is a crossover where it has “gone too far”, if I could use that generic phrase. The statement of one and the statement of others, obviously not identical—one's more extreme, if we can put that proposition to you about “like we executed Nazis”. But is there a point where there is an intersection and overlap or one can make these distinctions between these, dare I say, strongly worded statements?

PETER SLEZAK: It's very hard to answer your question. You're worried about the strength of statements that people are making when they're justifiably angry about a genocide. Okay. I think Farhad Ali perhaps stated what he did incautiously. One could spell it out. He probably could have said it in a more qualified way that—I don't think we should get our knickers into a knot about every subtle nuance in what people are saying.

The Hon. GREG DONNELLY: No, I'm not getting my knickers in a knot, I can assure you.

The Hon. SCOTT FARLOW: Subtle nuance? This is about execution. It's not subtle nuance.

PETER SLEZAK: He made a comparison between the Nazis that the Nuremberg trials hanged for their crimes, if I understand it. If I understand what I've read of that case, perhaps incautiously he might have been suggesting that there are criminals—in fact, Netanyahu and his offsiders and, in fact, our own Prime Minister has been referred to the International Criminal Court. Well, okay.

The Hon. GREG DONNELLY: But I'm saying, for the purpose of public discourse and civility and cohesion within society—I mean, I'm sure you've got to argue a number of points on that. Just let me complete, please, the question. Is there a line that you draw? In other words, ought that be denounced, the issue of the reference to the execution “like the Nazis”? Should there be denouncement of that? Should it be accepted that that should be denounced vis-a-vis that other statement that you put in your paper where you say that “Saying, ‘F**k Israel’ or ‘F**k Zionism’ is not antisemitic”. Is there a distinction between the two, or are you just saying it's a matter of degrees? I'm trying to understand.

PETER SLEZAK: I'm having trouble understanding what you want to distinguish. What are the two that you're trying to ask about? What's on one side and what's on the other side?

The Hon. GREG DONNELLY: I'm trying to understand, is there a point that one reaches where there should be a clear denouncement and it's gone too far or, in fact, that that's just a matter of opinion whether it should be denounced?

PETER SLEZAK: No, I agree with you. You could go too far and say things that are unjustified.

The Hon. GREG DONNELLY: Could I ask you this, then: Is that unjustified—the statement made by the casual academic at the University of Sydney?

PETER SLEZAK: I would have said it differently. We'd have to ask him exactly—

The Hon. GREG DONNELLY: No, I didn't ask you the question "Would you have said it differently?" I didn't ask you that question. Is that something that you would say is denounceable and should be denounced?

PETER SLEZAK: It depends on what he meant.

The Hon. GREG DONNELLY: On a plain reading of his words—"Fuck sanctions, I want Zionists executed like we executed Nazis"—

PETER SLEZAK: Right, so if—

The Hon. GREG DONNELLY: No, let me finish. You're saying there's a context that could justify that. Is that what you're saying?

PETER SLEZAK: Of course.

The Hon. GREG DONNELLY: What would be the context which would justify this?

PETER SLEZAK: Because if he's talking about war criminals that we would have prosecuted and hanged in Nuremberg—I'm not saying hanging; I don't believe in hanging. But if he's making—

The Hon. GREG DONNELLY: They used piano strings, actually, as you would know. Anyway, go on.

PETER SLEZAK: I'm trying to suggest what might be a charitable interpretation of what he said and which would be justified. He's saying that war criminals pay a price, and maybe the current war criminals should pay a price like they did before. That's a perfectly reasonable thing to say.

The Hon. SCOTT FARLOW: That's not what he said, though.

PETER SLEZAK: Well, it's not exactly what he said. That's why I said it depends on what he meant.

The Hon. SCOTT FARLOW: No, it's not what he said at all. That's not what he said.

PETER SLEZAK: It depends on what he meant.

The Hon. GREG DONNELLY: If it's a matter of what he meant and what he said—

Dr AMANDA COHN: Point of order: There's a responsibility to give witnesses procedural fairness here, and there are two different Committee members demanding an answer from a witness about a statement that he didn't actually make. This is a statement made by somebody else.

The Hon. GREG DONNELLY: It's a perfectly reasonable question.

The CHAIR: Order!

STUART REES: Can I intervene at this point, briefly?

The Hon. GREG DONNELLY: Please, yes.

STUART REES: I think we all have a huge intellectual, moral, political problem in dealing as constructively as possible with a genocide—with the cruel elimination of a people, occurring right at this moment. So I would be cautious. I would probably reject words and language that hinders—that gets in the way of—the demanding task of deliberating clearly and justly about bringing a peace-with-justice end to this dissemination of a whole people. That would be my, if you like, more pragmatic approach. I'd just reject that denunciation on those grounds as, in a way, getting in the way of the major objective, which is to say, for God's sake—or for anybody's sake—end this. Because at the moment the only repeated intervention that comes in this country is when the newsreader announces every night, "Viewers may be offended by the following pictures". That's about the only consistent intervention in a massive inhumanity that occurs on a regular basis in this civilised country.

PETER SLEZAK: I'd like to add one more thing to your question, if I may.

The Hon. GREG DONNELLY: Please, yes.

PETER SLEZAK: Fahad Ali is a Palestinian. I know him, and I know a lot of the Palestinians. They are grieving and traumatised by what they are directly suffering, and their families are suffering, in Gaza. I think to police their speech is really inappropriate. Okay, they might say things which you think are extreme—

The Hon. GREG DONNELLY: What do you mean by "police their speech"?

PETER SLEZAK: —but it's unfair of you to pick out somebody who is justifiably angry and distressed by what perhaps his own family are suffering, and I think we shouldn't waste time over something like that.

The Hon. GREG DONNELLY: I put it to you this way: That is quite incendiary language. Would you agree with that statement?

PETER SLEZAK: You keep asking me whether I agree with it. I wouldn't have said it exactly the same way, but that's what—look, I'm a philosopher of language, and that's why I've said before it depends on what he meant. You're accusing him of something, but it's entirely a question of what he had in mind when he said those words. I think we're, sadly, wasting too much time on the remarks of people who are justifiably angry and traumatised. We should give them some slack.

The CHAIR: Order! Dr Slezak, thank you very much for your contribution.

STUART REES: I'd just refer—

The CHAIR: No, Professor Rees, we're well and truly over time. If you would like to make further statements, please put them in writing and we'll take them on notice. I think we've given everyone a fair run today. We'll finish now. Thank you.

(The witnesses withdrew.)

(Luncheon adjournment)

Mr ALEX RYVCHIN, Co-Chief Executive Officer, Executive Council of Australian Jewry, sworn and examined

The CHAIR: Thank you very much for coming, Mr Ryvchin. Would you like to make a short opening statement?

ALEX RYVCHIN: Thank you. I'm deeply grateful to Mr Borsak and the members of this Committee for your work, which goes to the heart of freedom and fairness in this State that we are blessed to call home. I appreciate the opportunity to meet before you. I'd like to speak about the impact that antisemitic incidents have on individuals and families by sharing how my family was affected by the attack on our former home in Dover Heights in the early hours of Friday 17 January of this year. I became aware of the incident at around 5.00 a.m. that morning. My family and I had returned the previous evening from a holiday in Brisbane. The day after the incident I was due to fly overseas. The Friday on which the attack occurred was supposed to be the solitary day of rest at home with my family, ushering in the Sabbath before taking off again. My wife shook me from my sleep and handed me her phone. It was footage taken by our old neighbours across the street—flames rising high into the night sky, scorched cars with the words "Eff the Jews" and "Eff Israel" daubed on them, and the facade of our former family home disfigured with red paint.

I switched on my phone and it began ringing immediately—one after another, journalists offering condolences with one breath, looking for the scoop that it was indeed my former home with the next. We thought about our three daughters, who would soon be awake and jumping into our bed as they do every morning. My wife arranged for her mother to collect them to allow us to deal with the chaos. By early afternoon the story broke that the house had for five years been our family home. My wife and I then walked to the house to inspect the damage, to comfort our friends and neighbours, and to answer the questions of the media assembled there. That evening I asked my wife if I should cancel my trip. How could I leave them? "How could I not go?", she said to me. As much as she wanted me home, what could be more fateful and appropriate than representing the community at the eightieth anniversary of the liberation of Auschwitz, to honour and remember, to contemplate man's capacity to burn and destroy, and to hear the final testimonies of the survivors?

So at 6.00 a.m. the following morning I was on the plane, leaving my wife to answer the questions of our daughters and to explain to them why someone had replaced the whitewash I had lovingly applied with the red paint signifying blood, why they had scrawled words cursing the Jewish people on the cars out front, targeted the place where we had built our family and experienced the happiest days of our lives—a suburban street where families slept just metres from the inferno—and the toughest question of all, which came repeatedly from our middle daughter, aged nine: "Are we safe now? Are they going to come for us again?" It's a question we still don't fully know how to answer without deceiving ourselves and them.

A few weeks later, as I was boarding the long flight home, I checked in with my wife and my colleagues. At that moment, news about the Dural caravan was breaking. I received the update that a list of Jewish targets was found in the caravan. There were rumours that an attack was imminent. Fear was sweeping through the community. My wife asked me another question I didn't know how to answer: Was it safe, or should she wake the kids and leave the house? This is, of course, how terror is intended to work—to alter our perceptions and decision-making through fear, and shatter the sense of predictability and order, which allows us to live our lives. For the Jewish community, we have been targeted day after day, and it has forced families to ask whether their children are safe sitting in a classroom in a Jewish school or are they sitting ducks. Would their loved ones receive proper care in our hospitals, or would they encounter more people who thought and felt like the Bankstown nurses? Could they enter our CBD with a Star of David necklace or a Jewish head covering? Was that a humble act of faith or just asking for trouble?

In reflecting on the attack on my former home, I don't wish to mislead this Committee. I'm here giving something of a victim impact statement, but I in no way consider myself a victim. The attack may have made national and international headlines, but it is not nearly the most serious or life-altering incident. Every day for 20 months I've spoken to members of my community who have been abused and threatened, and who face the risk of being pushed out of their industry, of losing their livelihood, of being denied the ability to do what they love, because they are Jewish and hold ordinary, mainstream views. Each such incident changes a person. It changes their sense of worth, their state of mind and how they engage with those around them. This, in turn, changes how communities interact and how society functions.

The summer of firebombings may have passed, but the daily experiences of Jews in New South Wales and around the world has not changed. Indeed, in the short weeks between the hearings of this Committee, we entered a dangerous new phase. A young couple engaged to be married were murdered, shot to death from point blank range outside a Jewish community event in Washington, DC, hosted by an organisation that is a close partner of my organisation. Eight people were burned during a peaceful walk in Boulder, Colorado, to raise

awareness about the plight of Israeli hostages. An 88-year-old woman, a Holocaust survivor, remains in a critical condition. In both cases, the terrorists yelled "Free Palestine" as they attempted to kill innocent people in a Western country. A few days ago, a long time organiser and leader of the Free Palestine Movement in this country, an academic at Sydney University, said he wanted to see Zionists executed.

The inability to distinguish between political activists and those who just want to execute Zionists has allowed antisemitism to shift from the margins to mainstream, even educated and fashionable, society. And it has signalled to other violent elements, including neo-Nazis and organised crime, that publicly attacking Jews is a legitimate and effective form of action. Those who deny antisemitism, say it is provoked by things Jewish people say or do or think it is invented as a ploy to shield Israel from criticism, not only reinjure those who have suffered; they threaten the stability of our society. Excusing attacks on one minority serves to normalise abnormal conduct that threatens society as a whole. If we don't solve this problem, antisemitism will degrade this country and strip away the virtues of fairness, rationalism and decency that make it the greatest country in the world. I wish you great success in your important work. Thank you very much.

The Hon. CHRIS RATH: Thank you so much for appearing today and for your opening statement. The two individuals that that were involved in the incident on your former home have now been charged. My understanding is that they were on remand from previous attacks, whether it be graffiti or fire-related incidents I think with Newtown Synagogue. Is that correct?

ALEX RYVCHIN: My understanding is based very much on what's in the public domain. I had conversations with counterterrorism in the hours after the attack in connection with my own personal safety and the safety of my family. But since that time I've had fleeting conversations with the AFP and State police. It's really a matter of what's been reported. I understand that two individuals, as you say, have been arrested, or were already held, and the police are investigating the probability that it was a larger conspiracy involving drug smugglers and low-level criminals and so forth. There seems to be a strong organised crime component to it, is what I understand.

The Hon. CHRIS RATH: I think this is important because I've heard some commentary recently that this is all from criminals and it's not antisemitic. But when you see red paint that says things like "Eff the Jews" on a home that they assumed was owned by you, how can it be anything other than an antisemitic attack? In all the media commentary that's come out over the last few months in particular, how do you differentiate between criminal-inspired incidents versus antisemitic incidents? I suppose, the connection being that these criminal acts are only taking place on Jewish targets, or assumed to be Jewish targets, so they themselves are antisemitic attacks in nature, aren't they? How can you differentiate it?

ALEX RYVCHIN: I agree with that analysis. I think there have been segments of society and the media and the political class that have sought to deny or minimise antisemitism. I think they had that agenda from the beginning. When the police announced that the Dural incident appeared to be a hoax in the sense that it wasn't intended to be a live attack to be carried through, I think a lot of people rejoiced at the entire summer of terror that jeopardised the lives of the Jewish community and targeted very specific Jewish homes, institutions and places of worship, with very clear slogans referring to the Jewish community, which were clearly materially antisemitic, without question. I think it served the agenda of some to deny that, to obfuscate, or to confuse or divert the discussion. But when you have attacks of that sort—firebombings of Jewish-owned businesses, a place of worship and the former home of a community leader—it's very clearly antisemitic.

The more that was revealed about this organised crime syndicate and the alleged kingpin and his own personal background, views and ideology, the more the view was reinforced that it was very clearly antisemitic. The critical thing is the outcome rather than even the ideology or motivation. One thing I was asked a lot in the aftermath of the police press conference was, "Do you feel a relief that this was organised crime rather than more conventional antisemitic actors?" I can tell you that relief was the furthest thing from my mind and the minds of members of the community. When you suddenly have, in addition to more conventional antisemitic actors, people with ready access to guns and explosives who were clearly willing to set them on fire—

The Hon. CHRIS RATH: It's even more dangerous.

ALEX RYVCHIN: That's right. It's another dose of danger and terror that was struck into the community.

The Hon. CHRIS RATH: In some ways, some of these incidents were not antisemitic by intention, but they were antisemitic by effect or by implication. The end result of what is happening is that Jewish businesses, homes and cars are being targeted. Even if the intention was criminal and may not be antisemitic inspired, the effect of what is being undertaken is that it's only Jewish targets. The community that is bearing the effects of that is the Jewish community. Would you agree that it's almost unhelpful to downplay the antisemitic nature of some

of these incidents, whether they be graffiti, firebombings or various other incidents we've seen, throughout the summer in particular? It's getting a little bit better now, but I think over the summer was the worst of what we saw.

ALEX RYVCHIN: I think it's absolutely impossible to downplay the antisemitic element to all this when you have synagogues burned and attempted attacks on other places of worship, Jewish businesses and homes. We all know that the list of targets were all unequivocally Jewish targets. It would be insane to try to remove an antisemitic component from it. The effect was very clearly antisemitic and very clearly to terrorise the Jewish community—without question. As to the motives and intent, we can't fully know that until the matter is brought before the courts. But, again, I feel that there are segments of society that are bending over backwards to try to find motives which may not be there, purely because it advances their agenda. It allows them to minimise or distract the eye from what's happening in our society.

The other point that I'd note is that, while the firebombings were the most high profile and terrifying incidents, my organisation has logged, in the year following October 7, over 2,000 incidents of antisemitism. As I mentioned, every one of these incidents affected someone's state of mind, their quality of life and their ability to do what they love. It made them feel estranged and separated from wider society. It has an impact on our social harmony and how communities function and interact with one another. While what we call the summer of terror has thankfully subsided—and hopefully we've seen the end of it—given what's happening abroad and the incidents in the United States to which I referred, I caution that the end is not upon us yet. The worst might still be to come. Every day Jewish Australians in this State are suffering incidents, whether it be in schoolyards, university campuses or workplaces or whether it be through global campaigns on TikTok calling for the destruction and obliteration of Israel and its people. This continues on a daily basis.

The Hon. STEPHEN LAWRENCE: Thanks so much for coming along to give evidence—it's appreciated. I remember around the time that the existence of that criminal conspiracy was revealed, *The Daily Telegraph* had a front page that said it was all a vile hoax. That, to me, seems to understate the matter. Could you talk to—and you already have to an extent—what significance you attached to this revelation of the criminal conspiracy in terms of what had happened to you, and in what ways it didn't change what had happened to you?

ALEX RYVCHIN: When something like that happens—and I described in detail how it unfolded and how we experienced it as a family—all of these analyses and revelations afterwards about a criminal syndicate or whatever the motives were don't really alter anything, because what happened happened. The incidents that have struck the Jewish community, whether my family or others—they occurred. Multiple media—it wasn't merely the *Telegraph*—ran with the lead bulletin that it was all a hoax. Again, I think some of it was self-serving and others were perhaps misinterpreting exactly what the police were saying. But, again, the effect of that was to quell the conversation about antisemitism, because prior to that point there was a necessary public examination of what was happening in our society and the impact it was having on Jewish Australians and wider social cohesion. It was a conversation that had to be had. I feel like this inaccurate and careless reporting about it all being a hoax kind of killed that conversation.

The other thing that it did was—social media was for a long time awash with conspiracy theories that all of this was concocted by the Jewish community, that it was an inside job or a Mossad plot—all of these nonsense theories that tend to attach themselves to the Jewish people. You can imagine the storm that that kicked off on social media and in other recesses of society. They felt vindicated. They felt like, indeed, none of this had actually happened or it had been inflicted on the Jewish community by itself. It was careless and I think it was counterproductive, but it's important that we reset and recalibrate the conversation to talk about what actually transpired and how we, as a society, can move to actually curing this problem.

The Hon. STEPHEN LAWRENCE: Having worked in the criminal law for two decades, I'm pretty sceptical about the proposition that a person who would create this criminal conspiracy to achieve this ulterior motive, and would so focus it on the Jewish community, wouldn't also be antisemitic, even if they had an ulterior motive. It seems to me that the revelation of the conspiracy, though, is relevant to what that spree of terrible attacks said about community-wide sentiment. I do remember throughout that time that there was a lot of understandable things said: that this spree of attacks reflected some community-level rise in antisemitism in and of itself. It seems to me that the true relevance of that plot is not that the whole thing was not antisemitic, but rather that it seems to have been the actions of one person. He, of course, used agents, but there's no suggestion that they were antisemitic. That's my understanding. They seemed to have been people not with an ideological motive and people in the criminal milieu. I'm wondering if you would agree with that analysis.

ALEX RYVCHIN: I do. Again, it's based on conjecture and theories because until we have these people in custody and brought before the courts and we see the evidence, it's difficult to draw any definite conclusions.

But for a criminal mastermind to concoct a scheme of this complexity involving so many moving parts and individuals, and to identify individual Jewish targets, source addresses, potentially, of Jewish communal leaders—

The Hon. STEPHEN LAWRENCE: From Turkey.

ALEX RYVCHIN: That's right. To do all of these things and have no ill feeling towards the Jewish community, I don't buy it. I think it's highly implausible. You mention the Telegraph. The Telegraph broke a story that identified this individual and looked through his social media history. He's got a long record of posting viciously antisemitic statements glorifying Nazism, calling for the death of Jews and so forth, so I think the case became more complex at that point in time. No-one was surprised by those revelations. But, again, I think we're in the realm of theory and conjecture here. I think what happened is what's critical here. What the Jewish community experienced was no hoax. The flames, the abuse, the harassment, the exclusion—it was very real.

The Hon. STEPHEN LAWRENCE: An issue before the inquiry, which I'm sure you're aware of, is the conflation of criticism of Israel with antisemitism. It seems to be one of those issues where to work out what antisemitism is and the extent of it, we perhaps need to also work out what it is not. You've been, I think it's fair to say, a vigorous advocate in the public sphere for the state of affairs as you see it, and you're probably someone on a particular end of the spectrum in terms of how you analyse certain criticisms of Israel and what you see as antisemitic that other people might see as legitimate criticism.

ALEX RYVCHIN: I'm not sure I—if you could elaborate on what you mean by the spectrum and—

The Hon. STEPHEN LAWRENCE: I don't mean to put words in your mouth. I think the question I'll finish with is going to give you the chance to explain this. What do you see as the line between legitimate criticism of Israel, particularly from a Palestinian Arab perspective, and antisemitism?

ALEX RYVCHIN: To me, it's very clear. I don't think there's a genuine conflation. People can very clearly distinguish between critiques of policy and politicians—which is utterly fair game in this country—and about Israel, within Israel and outside as well, and a deep contempt and hatred for the Jewish people. There's a very clear distinction between them. If we talk about, for example, Itamar Ben-Gvir or Bezalel Smotrich—a couple of firebrand far-right politicians in that country—you can criticise them freely. I have. We criticised them when they were brought into the opposition. No element of that would be considered antisemitic or anti-Zionist. It is a criticism of individuals, their rhetoric and their policies.

Something happens when we talk about Israel that is peculiar to Israel that seems to happen with no other country. We can talk about Iran, China, Russia or whatever democracy or autocracy in the world. The conversation never then becomes about denying the right of that people to be a people or the right of that people to have a State. We never transfer classic antisemitic or racist views about a particular people to the country, impute motives to those people and say, "You do what you do because this is how Jews behave and have always behaved." We can talk about settlements, the war, how it's been conducted and ceasefires. None of that is illegitimate. I know some people will use more trenchant, aggressive forms of criticism, which doesn't in itself constitute antisemitism. It could be wrong, it could be ignorant or it could be hateful, but it's not necessarily antisemitic. To me, it's very clear. The greater conflation occurs not with antisemitism and anti-Zionism but between anti-Zionism and criticism of Israel. You can criticise Israel, its policies, actions and politicians and not talk about the right of the State to exist, which, again, occurs with no other country.

The Hon. STEPHEN LAWRENCE: It seems to me, though, that there are a number of aspects to the issue that are almost unique. I'll give you an example. It's often said that it would be antisemitic to deny the right of Israel to exist. There's obviously this contested issue of the right of return. It's often said that if the right of return was granted, it would be the end of Israel. For some people, to say that Israel has the right to exist necessarily, for them, involves the denial of the right of return, because the right of return, on that analysis, is inconsistent with the existence of Israel going forward. How do we unpick the view of a Palestinian expelled in 1948 or 1967 who thinks that Israel is a thoroughly racist endeavour and would like the right of return and, therefore, might be taken to be questioning the right of the Jewish State to exist? How do we analyse their statements and their opinions in light of this line between antisemitism and criticism of Israel that sometimes, as a threshold issue, is said to involve acceptance of the right to exist?

ALEX RYVCHIN: You've chosen a very specific example to do with the right of return. I'm not suggesting that any Arab Palestinian who bears a grievance from 1948 and the population transfers of Jews and Arabs that occurred as a result of that needless war waged by seven Arab States on a nascent Jewish State—things happen in war. Populations shift. People suffer, without question. I wouldn't deny anyone's suffering. The question you're asking is if a Palestinian says that their great-grandfather lived in Haifa or Acre prior to 1948, they were displaced—and people were displaced for all sorts of reasons, including fleeing a war zone because they were caught up in the battle lines—

The Hon. STEPHEN LAWRENCE: And including ethnic cleansing.

ALEX RYVCHIN: I would deny that there was ethnic cleansing. There was no program of ethnic cleansing. There was no policy of ethnic cleansing.

The Hon. STEPHEN LAWRENCE: But you wouldn't dispute that it occurred.

ALEX RYVCHIN: I firmly would dispute that it occurred. When we talk about ethnic cleansing, we talk about the forceable—

The Hon. STEPHEN LAWRENCE: Expulsion.

ALEX RYVCHIN: —expulsion of a particular ethnicity or race of people from a territory. That did not occur as a program. If that did occur, then you wouldn't have 20 per cent of Israel's population being Arab. You wouldn't have had the Mayor of Haifa going on broadcast to the people and saying, "Do not leave. This is your city as well."

The Hon. STEPHEN LAWRENCE: You say, "Not as a program", but you don't deny that in particular instances it had occurred.

ALEX RYVCHIN: I resent and I reject the use of the term "ethnic cleansing". I will say that, certainly, people who lived in certain places prior to 1948 ceased to live there. As I said, that occurred for a number of reasons, including the natural human compulsion to flee a war zone and including the leaders of the Arabs saying, "Depart this war zone and then return once we've driven the Jews into the sea." There were a myriad of reasons, and one of those reasons was that there were Arab towns and villages caught up in the war and the fighting, because Israel was invaded from many fronts, but also from within.

Certain villages were removed of their populations because they were caught up in the battle zone, and they were behind the lines of the Israeli fighters, so it was necessary from a military point of view. Horrible things happen in war. People are displaced. I think the lesson from that is don't start wars, and don't start wars that you lose. We also saw about 800,000 Jews living throughout the Arab world forcibly removed, plundered and expelled from their countries. To me, that far greater constitutes ethnic cleansing than a defensive, legitimate war and what happened as a consequence of that war.

Dr AMANDA COHN: Just following up on this line of questioning, I've been reading the ECAJ report on antisemitism for 2024, which you've quoted. First of all, I'll just say that some of the examples in this are really chilling, for anyone who's going to accuse me of trying to minimise antisemitism. But one of the examples in that report in the section on graffiti was an example of graffiti that simply said, "Free Gaza", and that was given as an example of antisemitism in your report. Can you explain in what way you and your organisation view that statement as antisemitic?

ALEX RYVCHIN: Sure. I don't have that specific incident in front of me. I don't know to what exactly it refers. But if you're asking me the question about whether graffiti saying, "Free Gaza", of itself, is antisemitic, I would say no. But context is critical, and every single incident that's in that report is there because of context. For example, if one were to daub that on a synagogue or proximate to a Jewish site in a way that implies that Jews are collectively responsible for the situation in Gaza, that would be antisemitic. But if someone walks down the street at a rally and waves a banner saying, "Free Gaza", I wouldn't consider that antisemitic, and the report certainly wouldn't either.

Dr AMANDA COHN: I think part of the challenge that I'm facing and that certainly the Committee is facing in trying to establish the problem that we're trying to address—the report says, based on the definition of antisemitism you've used or the way that these incidents have been compiled, that there was an increase of 316 per cent in antisemitic incidents following 30 September 2023. It's a deeply concerning statistic, but what I'm trying to understand is how many of those incidents are in the order of the really distressing, clearly antisemitic physical assault examples that are described in this report, versus political messages where it may be contested even within the Jewish community whether they're antisemitic or not. Is it possible to provide a further breakdown of that data to help us understand the nature of the antisemitic incidents that you're counting?

ALEX RYVCHIN: The report does break things down in terms of general discourse incidents, whether it's physical assault, whether it's graffiti, whether it's vandalism. It's broken down by category of incidents. Some of them are naturally more extreme than others. An attack on an individual is going to be more distressing than graffiti, certainly, but they're all incidents. They're all incidents of antisemitism. Now, political slogans in and of themselves are not counted in this report as being antisemitic incidents. Again, if the context in which it occurred leads one to conclude that it was an act of antisemitism because of the way that it targeted Jewish individuals, if a Jewish student—again, I'm just raising examples here, but this occurs frequently. If a visibly Jewish student is walking through a university campus and someone starts taunting them with "Free Gaza; free Palestine", merely

because they are visibly Jewish, that is the harassment of a Jewish person because they are Jewish. That's all that is.

Dr AMANDA COHN: Yes, understood.

ALEX RYVCHIN: The slogan itself—

Dr AMANDA COHN: You have provided the breakdown in the report, and I've got it in front of me. You've got 33 per cent of the incidents being posters, 19 per cent graffiti, 14 per cent messages. I'm focusing on those ones because they are much more difficult to understand than the 3 per cent assault, which are well described in the report. It's a significant proportion of the incidents that you're reporting that are in this category of posters. Surely it's difficult to work out whether a political poster is being targeted at somebody because of their ethnic background. Surely a poster is not targeted at a person, by definition.

ALEX RYVCHIN: No, that's right. If that's the case, it doesn't make it into the report. We have a very stringent threshold as to what goes in there. If it's a poster about, let's say, genocide—which is a very extreme, ignorant accusation, but people make it—I wouldn't consider that to be, of itself, antisemitic. If that is plastered somewhere on a public street, I think it is pretty disgraceful and inflammatory and devoid of truth, but I don't consider it to be antisemitic. Again, if it's done proximate deliberately to a Jewish site or at a Jewish facility, then that's a different situation. Again, as with Mr Lawrence's example with the right of return, I think we are identifying very specific examples and perhaps outlying examples.

When you talk about messages and slogans, the vast majority of them are unequivocally, viciously antisemitic and very clearly targeting the Jewish community, including wishing death upon members of the Jewish community. Sometimes they use euphemisms like Zionist, but frequently they don't. There are those examples that we would consider to be on the lower spectrum of things and some might be a little bit debatable, and we can have that conversation. But we're talking about over 2,000 incidents. We're talking about an experience that the Jewish community has lived through for a long period of time. We know what hatred against us looks like. The things that go on that report are antisemitic incidents; they are not political discourse.

The CHAIR: Have your or your family's relationship with and belief in Australia changed at all?

ALEX RYVCHIN: That's a very fine question. I consider this, as I said in my remarks, to be the greatest and freest country in the world. I came to this country as a refugee from the Soviet Union. Having seen the alternative—despotism, socialism, communism, autocracy, and the denial of human dignity and human rights—I cherish these things in this country. Of course, in the past 20 months I have seen things which have shocked me and which have saddened me deeply. The house that I spoke about was—I don't want to digress too much. When we first migrated to the country, I would drive up and down that street with my grandfather, who drove a van taking Holocaust survivors to a Jewish community centre.

He was so taken with that road because it looked out onto the ocean. To him that road symbolised the greatest of Australia—the freedom and beauty of this country. And then to have a house on that road, which I had purchased, defiled in that way hurt me on a very deep and personal level. But it has made me more determined to fight for this country and fight for the goodness of this country, and to banish the hateful elements from it, because it is not Australia. I have encountered racism and antisemitism throughout my life, in limited instances, but this is not a racist country and this is not an antisemitic country. We have a duty to drive those horrific elements from our sight; otherwise this country will change in its character. But I remain a great lover of and a great patriot of this country.

The CHAIR: You talk about coming from what is now Ukraine. My ancestors were expelled from eastern Poland by the Soviet Union just as World War II was beginning. I have relatives that now live in what is the current Poland in the east. They certainly talk about what was going on in those days. I have a little bit of sympathy—a lot of sympathy, actually—for what you are talking about. Do you believe that we could go back to the old ways, before all this got started? Could we ever get to that level again—that perfection you are talking about?

ALEX RYVCHIN: I am an eternal optimist, which might sound paradoxical with being a Jewish person and the things that we have experienced. But I do think the best of human nature, and certainly of this society. But I do know that what has been allowed to move into the public sphere and into mainstream discourse and conversation will be very hard to push back. There were always elements of this society that were antisemitic, and people held certain stereotypes and beliefs and prejudices, but we didn't have what one would call active antisemitism.

People maybe latently harboured certain views about Jews, but they weren't compelled to or they didn't feel the right or the freedom to act upon that. That is the real thing that has changed. People feel that they can

voice this antisemitism. And then there is what's happening with social media—the disinformation, the recruitment, the radicalisation. It's the sort of tool that Henry Ford or Martin Luther, and certainly the Soviets and the Nazis, could have only dreamed of having to advance their agenda. It is going to be extremely challenging, and it will require a wider approach than merely government and merely community. But I believe fundamentally in the goodness of this country. I think we need to arrest this problem before our character is forever changed.

The CHAIR: Thank you very much for coming today.

(The witness withdrew.)

Ms KELLIE SLOANE, member for Vacluse, before the Committee

The CHAIR: Welcome, Ms Sloane. You do not have to swear an oath, as you already swore an oath to your office. Would you like to make a short opening statement?

Ms KELLIE SLOANE: Thank you, Mr Chair, and thank you to the Committee members. I am the member for Vacluse, which is the eastern suburbs of Sydney. I have the great privilege of representing a really diverse community, but one of the biggest populations is the Jewish community, which represents about 20 per cent of the population. They designated their religion as Jewish in the last census. Of course, that doesn't capture everyone in our community, not the secular Jews or those who are culturally Jewish as well. And there is, unfortunately, for many of the older Jewish people in our community, a real reluctance, even now, in this day and age, to identify themselves as Jewish on government papers—a real, very tragic hangover from the Holocaust. It's a large community and, as a result of it being such a condensed Jewish population, we, of course, have borne the brunt of most of the antisemitic acts, particularly over the past year and certainly since October 7.

I'm a fairly new member of Parliament, although they do say parliamentary years are like dog years; it feels like about 71. It certainly feels like a very long time since I was elected as the member for Vacluse. When I was first elected, the community felt very, very different. Certainly, the Jewish community felt like a very free community, a safe community—one that, quite frankly, I didn't have to really think much about, just like I didn't think very specifically about our Catholic community or any other cultural groups within my community. But that changed very markedly after October 7. I saw it in people's faces, and I saw it in their eyes. It was a real sense of fear, of complete shock and betrayal as well, because they felt like this country that their grandparents had arrived at en masse after World War II, escaping the horrors of World War II to a country that provided refuge and safety and a great way of life where everyone was equal, it felt like that country had betrayed them.

They had friendships dissolve almost overnight without explanation. I think that was one of the most hurtful things for many people in the community. They didn't understand why people that were their friends, who they'd so generously donated to or been part of thriving cultural institutions and arts institutions, suddenly treated them like enemies, doxed their private information, that their students who were going to the University of Sydney, as an example, felt like they couldn't go there safely, like they couldn't let their kids walk to school in our local community wearing their school uniform.

So many things fundamentally changed. There was a rise in graffiti in our community, even paint daubed on local school bus shelters, so they didn't feel like their kids could go there. You've heard over and over about the criminal activity in our community, very frightening activity, all directed very specifically at Jews. I felt very ashamed and, I have to say, I felt quite naive that this community that I'd represented that didn't need singling out for special attention so clearly did, and that the social cohesion that we witnessed in our city and that we celebrated, I think we took it for granted. We thought we didn't need to invest in it. We so clearly did. And so I say today, even though I feel like there has been a quietening in the antisemitic activity, that it is still there, and we cannot be complacent.

The CHAIR: Thank you.

The Hon. STEPHEN LAWRENCE: I think you were here for some of the questioning of the previous witness. I asked him about a headline on the front page of the Daily Tele after the revelations in terms of that criminal conspiracy. The headline was "It was all a vile hoax". I'm just interested in your response to that headline as the member responsible for the part of Sydney where certain of these events occurred. What's your response to the appropriateness of that headline?

Ms KELLIE SLOANE: The term "vile" was appropriate. The term "hoax" felt like an affront, I have to say, because for our community it was so very real—every other morning, waking up to some form of violent attack next to people's homes. This is not just the Jewish community that felt this way; it was the entire community. You've got to remember that in the eastern suburbs there were helicopters flying low over our community at night to keep us safe. It was surreal. People were being woken up at night because there weren't enough police on the street. Our police did an incredible job. They were well resourced and the resources increased, and I thank the State Government for that as well. But this was a surreal situation. Firebombings of synagogues, of people's homes—that was real. There was nothing that was a hoax or fake about that. So I appreciate what was meant by the term "hoax", but it felt like a very painful slap in the face to our community.

The Hon. STEPHEN LAWRENCE: One of the issues before us—unfortunately, perhaps—is the line between legitimate criticism of Israel and antisemitism. It's obviously tempting in respect of an important issue like this to try to avoid international affairs, but it seems that in discerning where that line is, which is relevant to assessing things happening here, it's necessary to delve into some of those issues. Firstly, as an elected

representative, in terms of your responses and reactions and understandings, how do you balance, on one hand, the legitimate grievances of the Palestinian people and, on the other hand, strong political interests that I imagine exist among your constituents in terms of support for the State of Israel?

Ms KELLIE SLOANE: I think it's pretty clear I'm there to look after a community who has witnessed deep hate and even violence. But we're in a pluralist democracy. Robust discussion about political events domestically and abroad is important. We should be able to criticise foreign governments, whether they're Israel or other governments. That's all fine; there's nothing wrong with that. In fact, I think it's healthy. Even within Israel itself there are very many different points of view about the political activities of the Netanyahu Government. That's very different than forms of hate spreading in our city, in our beautiful country, when we're supposed to keep people safe and allow them to express their culture or their ethnicity or any other identity that they want. That's what we should be protecting, and that's what I see my job as.

The Hon. STEPHEN LAWRENCE: You wrote a piece in *The Daily Telegraph*. I actually don't have the date of it, but I think you might be familiar with it once I read you a bit of it. You wrote:

Twice in the past few weeks we have witnessed hateful attacks in the dead of night while people are sleeping; cowards painting disgusting slogans on cars and buildings. Torching cars.

We wake up to scenes of a Melbourne synagogue in flames. We see protests outside Sydney's Great Synagogue and Jews too scared to attend university because of institutionally sanctioned protest camps on campus that are indirectly focused against them.

And early yesterday morning another car was torched in a quiet suburban street because its owner was thought to be Jewish.

You do seem there to be putting all in one category protests, I think, at Hyde Park; the encampment, as it's being called, at Sydney Uni; and a whole lot of really serious criminal acts. I'm just wondering if you're comfortable in retrospect with the way that you've clustered all of those things into the same category.

Ms KELLIE SLOANE: One hundred per cent.

The Hon. STEPHEN LAWRENCE: One hundred per cent?

Ms KELLIE SLOANE: Because it's about context. People aren't just living in their house and experiencing the firebombing of their neighbours or their synagogue. Their kids are also going to Sydney Uni and feeling fear, or they might be headed into the city and having to cross Hyde Park and having someone shout at them when they go past. They're still putting their kids on the school bus in the morning and worried about whether they should cover that up with a sloppy joe that has Quiksilver on it instead of Moriah College or whatever it might be. We don't live in isolation with singular events affecting us in a singular way. We live in context. Unfortunately, the context was pretty brutal for so many people in my community.

The Hon. STEPHEN LAWRENCE: But do you think you're helping with the fear levels—and I'm talking in particular about Jewish students attending the University of Sydney—when you put into the same category protests at that university, partly led by Jewish students, and these most vile of criminal attacks? Doesn't that tend to amp the fear in the Jewish community?

Ms KELLIE SLOANE: No, because the fear is real and it's there. I couldn't possibly add more fear than what they were going through at that time. I really believe context is important because it's about the landscape. It's not seeking to equate one to the other. It's saying this is all happening at once; how scary is that? And it was. It was frightening and horrible, and often one would feed into another.

The Hon. STEPHEN LAWRENCE: Do you speak to Jewish constituents of yours who are non-Zionist and involved in these protests?

Ms KELLIE SLOANE: Yes. I've spoken to many people with many different views. The thing that troubles me also—I talked about this amazing city that we live in; one that I've celebrated so long. I hate what happened to our city, not just to the Jewish community but to all parts of our city, because hate intersects and it allows other hate to creep in through the cracks. When you allow anti-Jewish sentiment to proliferate, it kind of enables hate in other areas. So Islamophobia ends up on the rise as well. People, Islamic friends of mine, feeling like they were treated with a sense of fear and suspicion when they walked through other parts of Sydney. None of it is okay. We have to call it out. We have to say that hate breeds hate and fear breeds fear. This is why we can't allow complacency to happen even as it quiets down. It's important not just for the Jewish community. It's important not just for my electorate; it is important for every electorate.

The Hon. STEPHEN LAWRENCE: Do you regard the protest movement at Sydney University—

The Hon. SCOTT FARLOW: Chair—

The CHAIR: Order!

The Hon. SCOTT FARLOW: We've all got to stick to time. We can have a podcast for this, maybe. Get on Jez's one.

The Hon. CHRIS RATH: Thank you for appearing today and for your evidence so far. I wonder if you could talk through with us your recommendations. Is the New South Wales Government and Parliament doing enough? What could we be doing better?

Ms KELLIE SLOANE: I have appreciated the genuine efforts of the Premier and the Government to tackle antisemitism. I'd like to commend Mark Speakman for his leadership on this too. I feel like this is something we should all be in together. Having said that, I think there's so much more that we could and should be doing. Some of the criticisms that I've had or the things that I've noticed have been how antisemitism and other forms of racism have been allowed to take root in our institutions. I'm particularly concerned about the education department and our health system. I feel like we have policies in place, but we haven't been vigilant about enforcing those policies. So a number of my recommendations are around resilience around those policies, making sure that they're enforced. There should be a racism hotline that people can ring up as a whistleblower without having to escalate it to the most high levels. We should be rooting out any kind of political discourse within our institutions and making sure that they're free of politics and that people can go to work and feel safe, that politics has no place in our classrooms and no place in our hospitals. Those are a couple of the recommendations.

We should be building more awareness. As someone who worked in education before I came into politics—employed teachers who delivered programs around racism and bullying in schools—I think we need to double down, triple down, quadruple down on education. Education is such an amazing tool to raise the next generation of young kids. We need to look at social media and how there is this enormous proliferation of falsehoods and other messaging. We need to attack that from the level of the eSafety Commissioner, to prevent misinformation but also to encourage the use of socially cohesive messaging. I think there's so much more we can be doing across cultural groups as well, working together to stamp out all forms of racism in our society.

The Hon. CHRIS RATH: You've spoken already a fair bit about schools in your area, like Moriah College and so forth. What are you hearing from your community when it comes to universities and university students and what they're facing when they go to campus? In particular, Sydney Uni, I think, is probably where antisemitism is the most prevalent. What has the feedback been from your community from university students?

Ms KELLIE SLOANE: I think there was a concern specifically about the encampments that were allowed to stay week on week for eight weeks in total—I think it was in the end—and the fact that it was very difficult to understand who were legitimate Sydney Uni students and even foreign actors having influence. I know that students certainly in my electorate were very fearful about going into the university. It was very hard to find a pathway where you weren't confronted by anti-Israel, certainly, but, more concerning, anti-Jewish sentiment. This wasn't just the Jewish members of our community. It was also many other students who found the whole—found it incredibly confronting.

I've met with Sydney Uni. I've expressed my concerns to the university and, as recently as last week, I've sat down with them to look at the actions and how they're following through. I congratulate them on the review they've done and the steps that they are taking and feel like there's a lot more they can do. What I was most impressed with is a campus like the University of New South Wales, where they started very small, very early on—simple things like allowing outlets for students to express their political views in ways that didn't impact on other students. They increased security. They removed graffiti early—simple things like additional cleaning. It all made such a difference. That was one of the only universities that didn't—they took a safe campus approach rather than having a safe room, as we've seen in a couple of the university campuses.

The Hon. CHRIS RATH: The convoys that came into your electorate probably over a year ago now—I don't think there have been any more recent examples. What impact did that have on your community? To me, it seems like an outrageous example of antisemitism, where people are deliberately coming into an area that has a very high proportion of Jews for the sole purpose of intimidating and threatening them. What impact did that have on your community?

Ms KELLIE SLOANE: It was incredibly frightening and confronting for the community. When word spread that a convoy was on its way, the WhatsApp groups went into meltdown. People were fearful. You've got to understand the Jewish community keeps to themselves sometimes in the community. They are not known for going out and harassing others. They don't want confrontation; they want peace—I'm speaking broadly. When this happened and we heard about the motorcycle convoy coming into the community, there was genuine fear. I was able to get information from the police. I remember my initial phone call with the police was to express concern, because I'd heard about the motivations of some of the lead motorcyclists. I think there was an unwillingness by the junior person I spoke to to believe that. They said it was a charity ride and nothing more than that, but it was so much more than that. Why did that charity ride have to finish in the deepest concentration of

Jewish people in the State? Why were flags having to be—and the police, to their credit, prevented, I think, a lot of damage that day.

The Hon. CHRIS RATH: Are things getting better? You said that it might not be as bad now as it was previously, but you worry that it's still potentially there in the background. Are things noticeably better now than they were over the summer, where it seemed like there were antisemitic incidents almost every day?

Ms KELLIE SLOANE: It was a terrible summer—a very traumatic summer. While the nightmare has finished in the short term, everyone's eyes are wide open now. Antisemitism is always there. It's been ever present for millennia. I think we thought that in this amazing city of ours, we wouldn't be confronted by the scenes we saw last summer. But I would say the community is still on high alert, particularly with the conflict in the Middle East. I don't believe the community is resting easily. They're a community that has drawn into themselves. Some have pulled their kids out of regular public schools and into the Jewish schools, so they feel like there's a sense of protection there.

I think that's sad from a community that's always been so outward focused and generous and integrated. I would say that while there's a period of relative calm at the moment, we should not be complacent. We must take this opportunity to embed principles of how we want to live together and invest in social cohesion across all cultures and ethnicities, and other different groups and minority groups in our State, because I want our old Sydney back. I want the city that I loved, and still love, but I want it to be better because we deserve better. We are one of the greatest countries in the world, and we need to regain our reputation.

Dr AMANDA COHN: Thanks so much for appearing. I had a couple of questions about your recommendations, particularly in the health sector, noting that we both have a strong interest in that area. Particularly, you're recommending a new hotline for the reporting of racism. Given organisations like AHPRA and the HCCC are responsible for health practitioner conduct, including misconduct—and racist behaviour would certainly be misconduct—why do you think an additional system is needed? What have you seen that has formed your view that HCCC and AHPRA processes haven't been adequate?

Ms KELLIE SLOANE: A lot of people in the medical profession have said to me that they feel like it's a stretch too far and that sometimes they believe their immediate superiors will—there'll be consequences if they take their complaints to that level. I think sometimes you can nip things in the bud pretty early if you have an outlet and say, "This is uncomfortable for me in the workplace." People are concerned about escalating it to AHPRA. I know there was a lot of criticism at the time from certain people that were talking in the media about AHPRA taking their complaints seriously. You can imagine that if there's something that's making you feel uncomfortable in your workplace, if there's an outlet for you to express that, prevention is better than waiting for it to become a full-blown issue.

Dr AMANDA COHN: Last year AHPRA had to issue a public statement to provide guidance about what was or wasn't likely to be investigated, in particular because there was a large volume of complaints about health professionals expressing legitimate political opinions being reported to AHPRA en masse, including the doxxing of healthcare workers expressing support for Palestine, which was really distressing for those people. With this kind of new body that you're proposing, there's obviously significant nuance and expertise required to unpick these allegations. This is complex and sensitive. Whose responsibility do you think it should be? If you've got this anti-racism hotline on top of HCCC or on top of AHPRA processes, who in your view is then responsible for unpicking very serious and complex allegations?

Ms KELLIE SLOANE: If there were serious and complex allegations, they could be escalated to AHPRA, but I would suggest that there are many things that could be handled at a lower level. Just because it's hard, we shouldn't shy away from it, because there are so many people that were reporting, including in surveys to medical groups—I think I put it in my submission—about how they felt that even in staffrooms they were being isolated. Maybe they didn't know how to identify that as an issue worthy of sending to AHPRA. But if there was a simple HR person on the end of the line that could answer some of these inquiries and direct them to the relevant place, I think that's helpful. I don't know who resources that; I think that's a question for the health department. But to go from zero to AHPRA—surely there's something in between. Prevention in the workplace and policies that work and are scrutinised are a good start as well.

The Hon. STEPHEN LAWRENCE: We had the Australian Jewish Association here earlier in the hearing. I put to them what seemed to be some pretty concerning Facebook posts that seemed to be inciting racial hatred, endorsing ethnic cleansing of Palestinians and other quite heinous things. I'm wondering if you're comfortable with your association with that organisation. I notice online that you've done videos with them and different things.

Ms KELLIE SLOANE: I did a video with them before I entered Parliament, talking to the Jewish community that watched their social platforms. I haven't seen the posts that you're referring to, so I'm afraid I can't comment about them.

The Hon. STEPHEN LAWRENCE: If I sent you a copy of different posts, would you be comfortable taking that on notice?

Ms KELLIE SLOANE: Yes, I'm happy to.

The CHAIR: Thanks very much, Ms Sloane.

(The witness withdrew.)

Mr PETER DOUKAS, OAM, Chair, Ethnic Communities' Council of NSW, sworn and examined

Mr JOSHUA MOSES, Board Director, Ethnic Communities' Council of NSW, sworn and examined

The CHAIR: Good afternoon. Would you like to make a short opening statement?

PETER DOUKAS: Other than what is in our submission, the Ethnic Communities' Council of NSW is the peak body representing multicultural communities in this State. The Jewish community was one of the foundation members of our organisation. We welcome this inquiry into antisemitism. The broad details of our submissions are set out in our written submission, and I'm happy to take questions.

The Hon. SCOTT FARLOW: Thank you both for your attendance here today and for the submission of the Ethnic Communities' Council. We've heard often throughout this inquiry that we shouldn't be making the distinction between antisemitism and other forms of racism. I'm interested in your perspective, representing all ethnic communities across New South Wales, on whether this is a valid argument or whether there should be a special focus on antisemitism, and whether you have observed through the Ethnic Communities' Council a rise in antisemitism in recent years.

PETER DOUKAS: We have. There are, in our view, two forms of antisemitism that take frame, and hence our position with regard to this inquiry. The old form of fascist-style antisemitism that we had 50, 60 or 70 years ago is known to all of us. There is a new version that stemmed from an affront about Israel or questions raised about Israel that comes more from the left. There's the old, right-wing antisemitism that we were accustomed to and also a form of antisemitism that we see in more recent years. That's what makes it unique. It doesn't mean that there is not other racism or other forms of racism. But the antisemitism that we have observed is unique in that it comes in two streams.

The Hon. SCOTT FARLOW: To that point, in recent years, have you seen an increase in both forms of antisemitism?

PETER DOUKAS: Not necessarily the first, and certainly not in scale. But the second has been evident since October 7.

The Hon. CHRIS RATH: In particular at universities?

PETER DOUKAS: Yes, but not exclusively.

The Hon. CHRIS RATH: You talk in your submission about the erosion of social cohesion caused by antisemitism. Could you explain in a bit more detail the impacts that that has had?

PETER DOUKAS: It's not just antisemitism; there are other forms that I'm on record condemning including Islamophobia, among many other forms of racism. We saw as recently as two weeks ago in the eastern suburbs of Sydney attacks against Asian Australians as well. Antisemitism is a symptom of a wider question of social cohesion being placed under threat as a result of racism.

The Hon. CHRIS RATH: Are you noticing other forms of racism increasing as well? Obviously racism has always been there for decades now, but are you also noticing an increase in hatred towards other cultural communities? Or is it mainly that the sharpest increase is in antisemitism?

PETER DOUKAS: There's a general trend upwards, and there are spikes that stem from international events.

The Hon. CHRIS RATH: What could we be doing better, as New South Wales Government and New South Wales Parliament, to address that? We obviously can't assist here in this State jurisdiction when it comes to solving the Middle East crisis, although on a Wednesday we sometimes try in our Chamber.

The Hon. STEPHEN LAWRENCE: Especially you.

The Hon. CAMERON MURPHY: Every Wednesday.

The Hon. CHRIS RATH: We all try. We've got very different views of what it looks like.

The Hon. SCOTT FARLOW: Maybe that's why it can't be solved.

The Hon. CHRIS RATH: What could we be doing better, as New South Wales Government and New South Wales Parliament to try and address some of those issues when it comes to social cohesion—combating racism, combating antisemitism. What could we be doing better?

PETER DOUKAS: I think the New South Wales Parliament has broadly got it right that antisemitism, amongst Islamophobia and other forms of racism, is an attack on Australians. The protections that have been put in place by the Government in this jurisdiction, and also the Parliament more broadly—and I understand a lot of the stuff has been bipartisan—has been a positive contribution. Particularly when you look at the Anglosphere more broadly and Western reactions to it, I think we've done a relatively good job. Our submission has, I think, veered away from our tradition of criticising the Government in calling for more work to be done. Antisemitism is one form of the bigotry that exists against many cultures in Australia and New South Wales, and it often sits side by side with Islamophobia. We, as the only peak body that represents multicultural communities in the State, have an ongoing call against all forms of bigotry. This is yet one other symptom of what we've been seeing.

The Hon. CHRIS RATH: How do you navigate, as an organisation, the, I assume, very different views sometimes between, say, the Jewish community and the Muslim community? You would probably have very different voices. How do you navigate that with your organisation?

PETER DOUKAS: I say very well, and better than everyone else. I'm sitting next to Josh Moses, who's a senior board member of us and is a leader in the Jewish community. We sit with members of the Muslim community. We haven't missed a board meeting since October 7, and not one of the resolutions that we've taken in our board has been contentious, to the extent that there's been a fight about the resolutions that we've taken. Our role is defining what it is to be an Australian in a multicultural society. I'm on record saying that we're all stuck on this desert island together and we have to get along.

As an organisation, I think we do it well. I think that there are challenges, and I would be lying to say that October 7 did not pose a challenge, but we've done it respectfully. We've had organisational meetings on a Tuesday, and on a Wednesday, members of that same board attended a Palestinian rally and a Jewish rally, and then returned the month afterwards. I'm very proud about the way that we've approached it. I think that we have expressed a degree of moderation in this. We have certainly not taken a side; I'm criticised by everyone, which is a good thing. I think we will continue to focus on our primary objective, which is the elimination of racial discrimination in Australia.

The Hon. CHRIS RATH: Mr Moses, what have you experienced in the Jewish community since October 7? What's life been like as a Jewish leader?

What was life like before October 7? What has it been like since that time? Are things starting to get a bit better now after what was, I assume, a truly awful summer?

JOSHUA MOSES: Prior to October 7, we saw a side of Australia that was welcoming and inclusive. The Jewish community largely went about their daily lives with ease, so to speak. Since October 7 and what happened at the Opera House on 9 October—it was a rude awakening. It led us to see a side of Sydney, New South Wales and Australia that we haven't been accustomed to in recent years. I think that shocked a lot of the community. A lot of the community were distressed for a long period of time. Some were fearful. Some were fearful to put a kippah on their head. Some were fearful to put mezuzot on their door frames. Some were fearful to join Jewish community events as well. Then you had the other side of the community that still rallied and united as a community and showed that we won't be fearful. Over the weekend we saw what happened overseas. Again, that's affected the community here. I hope to not see any ramifications in the local community. There may be a situation where we do. So, again, I think members of the community are still fearful. Prior to that, in recent months, I think we have seen the community largely getting back to where we once were.

The Hon. STEPHEN LAWRENCE: Thanks to you both for coming along. It's much appreciated. Mr Doukas, in your evidence earlier, you spoke about broadly two types of antisemitism. I think you couched them roughly as right-wing and left-wing antisemitism. You talked about the far-right type of antisemitism, such as what we saw in Europe half a century ago—of course, that still exists—and now there's a left-wing antisemitism that manifests itself through criticism of Israel. My understanding of antisemitism, in a fundamental sense, is that it involves a hatred of Jewish people. You weren't suggesting, in respect of left-wing antisemitism, that it's not that, were you?

PETER DOUKAS: I think I set out in our submission that a hatred of Israel and a criticism of Israel are two very different things. To expand on that, a criticism of Israel and a questioning of Israel's legitimacy or right to exist are also very different things. I have attended many functions in the Jewish community, and no-one criticises Israel as well as they do, whereas the placards that bring into question the right of the country itself to exist is a different conversation. That has nothing to do with solidarity with Palestinian people. That has been the point of our submission.

The Hon. STEPHEN LAWRENCE: So when you talk about left-wing antisemitism, are you talking about hatred of Jewish people that, in a sense, disguises itself through criticism of Israel?

PETER DOUKAS: Indeed.

The Hon. STEPHEN LAWRENCE: I just wanted to clarify that. Do you think that all racism against Israelis is antisemitism? Mr Moses, you might want to answer that as well.

PETER DOUKAS: If I can butt in, not all Israelis are Jewish.

The Hon. STEPHEN LAWRENCE: Indeed.

PETER DOUKAS: The answer is no. I just think it's convenient. We're dealing with international issues while looking at it through a prism of New South Wales. Overall, that form of criticism is a degree of laziness in terms of a policy debate. That's where it comes from.

The Hon. STEPHEN LAWRENCE: I might focus that question to you, Mr Moses. The reason that I ask it is that I spent some time living in the West Bank. Like everywhere, you meet people who are chauvinistic and who stereotype and caricature people. I certainly met Palestinian people there who didn't like Israel much. There was obviously a range of circumstances that explained that or that might explain that. Is chauvinism or racism on behalf of such people necessarily antisemitism if it's aimed at Israelis, or is there some form of racism that people might have that is short of this ancient antisemitism that has just wreaked so much havoc?

JOSHUA MOSES: I think it's nuanced. I think that the targeting of Jewish Israelis, specifically under the guise of just the targeting of Israelis, is antisemitic, and it is racist. I think if you look at the targeting of Israelis in comparison to the targeting of any other nationality and the population of a different country, they would be typically on the same level, but where incidents do escalate in the targeting of Jewish Israelis, you can clearly identify a direct link to racism and antisemitism.

The Hon. STEPHEN LAWRENCE: So you do accept that there could be a distinction there?

JOSHUA MOSES: I haven't noticed a situation where the targeting of Israelis, specifically Jewish Israelis, was not broader racism and was not linked to antisemitism. I haven't identified an example or a situation where that has occurred, so I can't make a conclusion on that.

The Hon. STEPHEN LAWRENCE: One of the issues that is confronting us is trying to understand the extent of antisemitism in the community. We've got the police coming along for an extended period I think on 4 July. We'll be asking questions of them. Some other witnesses have spoken about databases of incidences that they keep. We're obviously well aware of the serious criminal acts that occurred, particularly over the summer, but does your organisation keep a database of complaints or allegations of antisemitism?

PETER DOUKAS: No. From the Ethnic Communities' Council's purpose, we take our lead from the communities we represent. The Islamophobia Register—we were a founding member of that a couple of years ago. Unless the Jewish community specifically asks us to do that, it's data that sometimes is best in the hands of authorities, in some instances. I can speak anecdotally about the way that those incidences have affected the interaction of the Jewish community with our other members. It has radically changed since October 7 and particularly since the summer. It also affects the way the Jewish community does its inter-community work. That's often sanctioned by the Ethnic Communities' Council. That has often been the impetus for us to get involved. But in terms of keeping raw data and maintaining raw data, unless and until a particular community asks us to get involved, we don't.

Dr AMANDA COHN: Thanks so much for the time you've put into the written submission and for appearing today. I had a question about the definition that you've adopted for antisemitism. It's something the Committee spent significant time on because it's very important for us to get right. Noting that your submission has adopted the IHRA definition of antisemitism, we've had a number of witnesses strongly recommend that to us, and we've had a number of witnesses strongly recommend against that, arguing that that's a harmful approach to take. In adopting that definition, who did you consult with, or how did you ensure that a diversity of views across Jewish and other multicultural communities was represented in making that decision?

PETER DOUKAS: We consulted our Jewish community and our board, of course. Our board is as diverse as it can be, and our Jewish community members. We settled on the definition because it was the submission made to us by our Jewish community members and because it affects them the most. The question of self-identification, of what they see as important to them, is the same approach that we took during the debate around the Islamophobia Register, and it's the same approach that we're taking now. I'm taking advice now from our Asian Australian communities about the recent spates of racism. It is a complex and difficult question for an organisation like us that is a peak body representing all communities. We take the overwhelming lead by the community most affected, which in this case is the Australian Jewish community. I accept that this Committee has a far more difficult job than what we had in settling on the definition. That's how we have come to it and that was what informed our submission.

Dr AMANDA COHN: Just to clarify or try to elucidate this further, you talked about going to the board. I appreciate, Mr Moses, you are providing a valuable perspective and you are also a director of the NSW Jewish Board of Deputies, who we have also heard. They provide an important perspective. In recommending the IHRA definition to the Ethnic Communities' Council, did you undertake any additional work or were diverse views sought from the Jewish community in New South Wales?

JOSHUA MOSES: I would first clarify that I am not a director of the NSW Jewish Board of Deputies. I am a board director of the Ethnic Communities' Council of NSW. But I am involved with the NSW Jewish Board of Deputies.

Dr AMANDA COHN: Apologies if I have got that wrong. I was quoting off the website. There must be an inaccuracy on your website.

JOSHUA MOSES: I just wanted to clarify. That's okay. I echo Peter's comment before that we did work through our board and we engaged with the constituent members of our organisation that are Jewish organisations, and there are a number of them. Through those communications, we did identify the IHRA definition as being the most suitable definition to utilise as our organisation, given that it is more widely internationally accepted and what we consider to be best practice. Again, we note that there are other definitions of antisemitism that organisations do use. I will note in that respect, though, if other organisations are going to utilise definitions of antisemitism, that it must be done with great consultation across the Jewish community and that that is done with an understanding that it must be used to assess policy and procedures of that organisation.

Dr AMANDA COHN: You mentioned the Jewish community organisations that are your members. On notice, because I am about to be out of time, could you provide us with a list of which organisations those are?

PETER DOUKAS: We can take that on notice.

The CHAIR: Mr Doukas, we got some evidence this morning from various student representative councils, in particular the SRC at Sydney Uni, that said that they didn't believe that there was a general rise in the level of antisemitism certainly in New South Wales and perhaps particularly in their institutions. I noticed in your submission that you say the opposite. What is your argument?

PETER DOUKAS: I think the media sets it out. We can only go on the evidence that we are given from our communities. We can only go on the increase in attacks on Jewish students on campuses since October 7. We go off the anecdotal evidence that is given to us. To be frank, it was not happening as much before October 7 and it is afterwards. It is just the information that we have been given and the approaches that have been made by the community. I understand, though I am by far not an expert in this space, that the raw data backs up what we have said. I understand that the universities themselves, as institutions, have confirmed this.

The CHAIR: In fact, the evidence from the universities themselves is quite the opposite to what the SRC's is to an institution. I won't say to a man and a woman. They were all saying that they believe there has been a general rise in antisemitism. Have you had any discussions or disclosures with students from those institutions that have expressed a feeling of being unsafe or unwelcome?

PETER DOUKAS: Not formally.

The CHAIR: It can be informal. Maybe to you, Mr Moses.

JOSHUA MOSES: Again, not formally through the Ethnic Communities' Council of NSW but informally through my relationships that I have with those Jewish students at universities. Offhand they have told me certain situations. I am probably best not to report on those, given the offhanded nature that they were provided to me. But I have heard of those.

The CHAIR: Mr Doukas?

PETER DOUKAS: I would say the same. I have interacted with people who have come to me either off the record or informally and told me of experiences of direct racism that they had never experienced in their life. With the reports that I've received of people having been spat at or screamed at in universities, they didn't want to provide any other details than that. It's not a formal request for my role.

The CHAIR: No, I gathered that from your evidence. Have you had the same feedback in relation to Islamophobia?

PETER DOUKAS: We have, but not on campuses, though—not within the context of institutions. It's often either on public transport or in public somewhere else, not within universities.

The Hon. STEPHEN LAWRENCE: In terms of this rise of antisemitism and what you've just said about no corresponding rise in Islamophobia reports at universities, does that perhaps suggest that much of what

is being complained about at the universities is, in fact, criticism of Israel that has intensified since the events of October 7?

PETER DOUKAS: I can't attribute one to the other. I again reiterate that we are not a repository of complaints about antisemitism in universities. The anecdotal reports that we've received are particularly since October 7. In terms of where they're linked to, I can't comment. All we can see are increased examples of it on campus—increased examples of antisemitic behaviour towards individuals on campus, and the kinds of reports that we did not receive in the past.

The Hon. STEPHEN LAWRENCE: In terms of those reports, are you generally in a position as an organisation to investigate and interrogate them to understand whether they are, in fact, true allegations of antisemitism as opposed to some other thing, including perhaps complaints of people being exposed to criticism of Israel, even if that criticism makes them feel deeply uncomfortable?

PETER DOUKAS: Well, it depends if that criticism results in a fear for personal safety.

The Hon. STEPHEN LAWRENCE: Sure, but has your organisation been in a position to interrogate and investigate those complaints, to actually work out whether they involve that or not?

PETER DOUKAS: We are in a position to do so, but we don't do it out of deference to the Jewish organisations that take it on themselves, that have that mandate.

The Hon. STEPHEN LAWRENCE: I understand now.

PETER DOUKAS: So we have a capacity to conduct those investigations. If we were asked to do that by one of our members, we would, but I would not be committing our resources into those forms of investigation without the permission, one, of the Jewish organisations and, two, of the institutions that these allegations are happening in.

The Hon. SCOTT FARLOW: If I could just ask one question, really quickly. Mr Doukas, you outlined before, just in passing, things like spitting on students at university campuses. Spitting on somebody cannot possibly be a fair criticism of the State of Israel, can it?

PETER DOUKAS: It can't be anything. It can't be any form of fair criticism. Yes, agreed.

The Hon. SCOTT FARLOW: And I take it that, with the students who are making complaints like that, it's because they're identifiably Jewish, potentially.

PETER DOUKAS: Yes.

The Hon. STEPHEN LAWRENCE: One particularly controversial part of the IHRA definition, as I understand it, is that it suggests that calls for the elimination of Israel are capable of being or are antisemitism. That, I suppose, gives rise to an issue about what it means to call for the elimination of Israel. Does your organisation have a position, for example, on whether a call for a one-state solution in which everyone lives in a secular state that doesn't accord supremacy to any group over another is a call for the elimination of Israel, and is therefore capable of being construed as antisemitism?

PETER DOUKAS: The controversy around a one-state solution is a much deeper question. We haven't gone into a deep definition of it. We're on record calling for a two-state solution. We're on record calling for that, calling for the solution to be sovereignty and legitimacy for Palestinians in their own land.

The Hon. STEPHEN LAWRENCE: Sure, but if you're adopting a definition of antisemitism that might mean that calling for a one-state solution—one secular state—is antisemitism, isn't it incumbent upon you to address that ambiguity either way and spell out what that actually means?

PETER DOUKAS: Not for the purposes of this inquiry, but probably. I concede your point. But for the purposes of antisemitism in New South Wales, I don't accept that it's necessary, at least for the way that the Ethnic Communities' Council approached its submission to this inquiry. From a broader philosophical level, I agree, but that's a far deeper conversation than questions of antisemitism in New South Wales.

The Hon. STEPHEN LAWRENCE: Yes, except that it seems to be necessary for the purpose of the inquiry to identify what is not antisemitism in order to understand what is antisemitism. You've got a definition that arguably would render calls for a one-state solution antisemitic.

PETER DOUKAS: Yes.

The Hon. STEPHEN LAWRENCE: So do you think it is necessary for your organisation—and, indeed, for anyone who wants to properly classify this behaviour—to really address that question? It's a

longstanding criticism of the IHRA definition. I've made the same criticism, I should say, of the University of Sydney, who put it in their documents without explanation.

PETER DOUKAS: The difficulty with the one-state solution argument is that the Jewish community itself is broadly not in favour, at least as far as my anecdotal evidence gathering and submissions that have been made to me.

The Hon. STEPHEN LAWRENCE: I think you might find, broadly, the Palestinian community is in favour.

PETER DOUKAS: I accept what you're saying, and hence the debate. But our position has been, as encompassed in my personal view and also the view of the organisation, this principle of a two-state solution—though I accept that there are many difficulties with that, as we are seeing. We also have to look at it in the context of the imagery that we've seen in New South Wales, particularly this notion of "from the river to the sea" that has been—

The Hon. STEPHEN LAWRENCE: "Palestine will be free"?

PETER DOUKAS: That's right. Well, there are many words that are used after that, but the common one—

The Hon. STEPHEN LAWRENCE: The common one is "From the river to the sea, Palestine will be free," with the last part generally left off—which is a shorthand, obviously.

PETER DOUKAS: The last part is up to the—yes, that's right. It is an issue, and it's those notions that have brought this particular part of our submission—this IHRA definition. Again, our submission is based on collaboration with the Jewish community and our Jewish community members, because it affects them.

The Hon. STEPHEN LAWRENCE: Except you must have other members that are also affected.

PETER DOUKAS: Of course.

The Hon. STEPHEN LAWRENCE: What do they say about it? Has there been an internal process of deciding this?

PETER DOUKAS: Of course we have. Absolutely.

The Hon. STEPHEN LAWRENCE: And is that a majority vote that you have?

PETER DOUKAS: Yes. The question of antisemitism in New South Wales and the question of the two-state solution, at least for the purposes of our review—the purposes of racism and our consideration of racism against our Jewish community members and the broader Australian community that is Jewish—is what birthed this submission. That's what informs us, and that's what informs our answers now.

The Hon. STEPHEN LAWRENCE: Yes, sure, except it just seems that a large bulk of what is said to be antisemitism—and you've described it in part as "left-wing antisemitism"—does revolve, whether legitimately or otherwise, around criticism of Israel. I just am struggling to understand how you can proffer such an ambiguous definition in the position that you're in.

PETER DOUKAS: But there is a difference between criticism and extinction. There is a difference between criticism and denying legitimacy.

The Hon. STEPHEN LAWRENCE: And there's a difference between elimination by way of ethnic cleansing or genocide and elimination of a state structure where it's replaced by a secular one-state solution.

PETER DOUKAS: Absolutely.

The Hon. STEPHEN LAWRENCE: That seems to be the ambiguity posed by the definition that your organisation perhaps hasn't addressed. I see Mr Moses is wanting to say something.

JOSHUA MOSES: Just to the question of a one-state solution, when you differentiated between a one-state solution where it eventuates with ethnic cleansing and genocide in comparison to a secular state, what I think we have seen a lot of the time is—and when I say "we", I mean the broader public—when we do see calls for a one-state solution, typically that comment is made with the understanding that the one-state solution is for the Palestine state to take over that territory. That in itself is typically associated with ethnic cleansing and genocide.

When you say that a one-state solution can be interpreted as a secular state, typically that's not what we see when we hear the shorthand of "from the river to the sea," and typically not what we see when it's associated with other libels and slurs associated with that. You may have made the distinction, but typically when a call for

a one-state solution does take place, it typically is associated with the rejection of self-determination for the Jewish people, the delegitimisation and demonising of the State of Israel and the erasing of Jewish history in that region. That is where the distinction needs to be made. It's what often has been seen in New South Wales recently.

The Hon. STEPHEN LAWRENCE: That might be an example of people interpreting precisely the same statement in different ways, which seems to bedevil this issue, if I might say so.

JOSHUA MOSES: When you say example, I would rebut that by saying it seems to be the majority.

The Hon. STEPHEN LAWRENCE: When you talk about the self-determination of the Jewish people, does that mean to you within the context of a Jewish State?

JOSHUA MOSES: Are you asking for my personal opinion?

The Hon. STEPHEN LAWRENCE: Whether you speak personally or on behalf of the organisation is a matter for you, but I'm curious why you counterpose this idea of the one-state solution with the idea of Jewish self-determination. What do you mean by that?

JOSHUA MOSES: Again, I'll reiterate that when the one-state solution comment is made during protest and during discourse, it typically means the elimination of the Jewish population within that territory, and that is the larger example.

The Hon. STEPHEN LAWRENCE: Really?

JOSHUA MOSES: Again, there is—

The Hon. STEPHEN LAWRENCE: I must say, I've been a fairly close observer of these matters and I haven't seen that as a predominant view. It seems to me to be very rare to see anyone publicly advocate the extermination or expulsion of Jewish people from that place. I much more commonly see calls for one secular state which all people can live in. You might have different views about how feasible that is, but to impute ethnic cleansing and genocide to the majority of the Palestine movement—if I can call it that—I just don't see that, I must say.

The CHAIR: We might bring questioning to an end; we've gone past time. I think you took one question on notice.

PETER DOUKAS: Yes.

The CHAIR: The secretariat will be in contact with you in relation to your response. Thank you very much for coming today.

(The witnesses withdrew.)

Mr ANTONY LOEWENSTEIN, Journalist, Author and Filmmaker, affirmed and examined

The CHAIR: Would you like to make a short opening statement?

ANTONY LOEWENSTEIN: Thanks for inviting me to speak to the Committee today. I would like to begin by acknowledging the Gadigal of the Eora nation, the traditional custodians of this land, and pay my respects to their Elders, both past and present. I'm an independent journalist, filmmaker and author of many investigative books, including, recently, the global bestseller *The Palestine Laboratory: how Israel exports the technology of occupation around the world*. I regularly appear on local and global media outlets such as CNN, ABC Australia and Al Jazeera English. I've been writing about the Middle East for over 20 years, and spent years working and living in Israel and Palestine. I'm Jewish, Australian and German, and a proud member of the advisory committee of the Jewish Council of Australia, an organisation that exists to represent the growing number of Jews who don't blindly support Israel's actions and who want to fight real antisemitism.

We're living in a moment when Israel is committing genocide in Gaza, engaged in ethnic cleansing in the West Bank, occupying parts of Syria and southern Lebanon, and bombing Yemen and Iran. None of this is making Jews around the world safer. In fact, it's making all of us more vulnerable to attack. We need to separate Judaism from Zionism. It is not the same thing. A growing number of Jews, according to polling in the US, UK, Europe and here in Australia, fundamentally reject the Government and concept of Israel itself and want to deepen a relationship to Judaism that isn't tied to the Israeli albatross around our necks. Understanding antisemitism and its root causes is for sure a vital task, but we need to be clear-eyed about what antisemitism means and not be swayed by political and media operatives who want to use this tense time here to censor or curtail legitimate speech.

A visceral hatred of Jews is antisemitism. Attacking synagogues and Jewish individuals because they are Jews or Jewish spaces is almost certainly antisemitism. Making Jews physically unsafe because they're Jewish is completely unacceptable. However, chanting something like "Free Palestine" or "From the river to the sea, Palestine will be free" is not antisemitism, despite the fact that it may make many Jews uncomfortable. Discomfort is an unavoidable part of living in a democracy. There will be people who say things that you don't like. You might find them hurtful or offensive. But, as a Jewish Australian, I reject the pressure imposed by the Murdoch media, the pro-Israel lobby and some conservative politicians who claim that any legitimate criticism of Israel and its most rabid supporters is antisemitism. Antisemitism is a virus that has existed for millennia, but to tackle it today requires us to recognise that Israel and its actions represent one of the greatest drivers of this ancient hatred. It's never acceptable to target Jews for being Jews, but it's my responsibility as a Jew to honestly explain what I know to be true. Thank you.

The Hon. STEPHEN LAWRENCE: Thank you, Mr Loewenstein, for your evidence and for the body of work that you've produced. There was a witness earlier who attended this morning and talked about how some of the criticisms of Israel come from a Marxist or anti-imperialist perspective. He was saying that in a disparaging way of those critiques, but it seems to me to be true—it seems to me that that could be maybe one explanation for why some criticisms of Israel seem to resonate with antisemitic tropes, because most people that are of an anti-imperialist mindset will be talking about some form of empire that seeks to control the world and seeks to regulate world affairs in its own interest. Those criticisms are commonly made of the United States, for example, and they could resonate in some way with antisemitic tropes. I'm just wondering if you think that that's an explanation for criticisms of Israel that is sometimes lost on some people and may be lost on some people of the right, who then see some of those critiques very much through a lens of antisemitism.

ANTONY LOEWENSTEIN: The way I'd answer that is this: If one looks at the studies about what antisemitism is and who is causing the most antisemitism in the US, Europe, Australia, the vast bulk is coming from the far right, not from the left. Now, that's not to suggest that people on the so-called left are never antisemitic. It happens. It's real. I'm not denying that. The question, though, is whether some on the left see it through an anti-imperialist framework, a Marxist framework—let's not forget the reality. For a lot of people who are—and this is based on polling in the US, UK and here. There was a Pew poll that came out literally a few weeks ago, which found that a majority of Australians polled were against what Israel was doing in Palestine. It's not my opinion. It's what the polling said. And that was reflected in many places around the world.

Now I'm not saying you are, but to suggest that somehow that's coming from a position of animus towards Jews—let's not ignore the fact that, for a lot of people, particularly young people who spend their lives on their phones, for better or worse, what we are seeing—and I'll call myself young for the benefit of this comment. What we are seeing day in, day out—and I've spent time reporting from Gaza, not since October 7, but from Gaza in the last 20 years, the West Bank, Israel, the Middle East. The images are not lying. What we are seeing—it is mass slaughter. None of that is to say that Hamas is never at fault, that October 7 was okay. October 7 was an

abomination in my view, and I've said that publicly from October 7. But the idea ultimately that what Israel is doing in Gaza is somehow to fight Hamas or is to eliminate terrorism is absurd.

Hamas is growing, and that's based on Israeli estimates. Whatever people's reasoning is for being against what Israel is doing—those who are not antisemitic, anti-imperialist, Marxist, anti-empire, anti-US—whatever it may be—I would argue that for many people I speak to over the years as a journalist or others, it is that they simply know what's going on on the ground. Whether it comes from a deep political understanding or it's simply the fact that if you spend any time in the West Bank or Gaza, there is deep injustice there. It's just a statement of fact.

Putting aside the small minority of those on the left who may be legitimately antisemitic—and when I say "legitimately", I mean they are antisemitic, as opposed to anti-Israel—I see that as a distraction. I'm not saying we should ignore people like that. We have to fight that, and I've said that for years. But if one looks at the figures, the statistics, that we have—not particularly from a pro-Israel lobby, but from official figures in government here and overseas—the vast bulk of hatred, both verbally and physically, is coming from the far right. And that's growing, because of October 7 or not. It was growing before October 7.

The Hon. STEPHEN LAWRENCE: When you've moved amongst the Arab community in Australia, the Palestinian community, and when you've lived in the West Bank and spent time in Gaza and the West Bank and other places, have you felt, as a Jewish person, that you are in an antisemitic environment?

ANTONY LOEWENSTEIN: I have not. I don't walk around with a sign saying "I'm a Jew". You could argue my name is pretty self-evident of who I am. I've written publicly about this for 20 years. I've spent time in Gaza and often interviewed—again, this is before October 7—people in Hamas. Hamas in Gaza is moderate compared to some groups there. There's a far more extreme militancy there. Hamas are not the extremists in Gaza. People maybe don't realise that in Australia, but they're not. That's not to excuse Hamas by any means. I think they've been largely very destructive for the Palestinian cause. That's a personal opinion. But I have not felt antisemitism.

I'm not suggesting there are no Arabs or Palestinians or Muslims who don't like Jews. Of course there are. But I have not felt that. I lived in East Jerusalem with my partner for four years, between 2016 and 2020. If there was any fear, it was coming from brutish Israeli soldiers, who we saw every day literally outside our house beating up Palestinians for no reason, under the guise of security or whatever they tell themselves. When you've got 16-, 17-, 18-year-old kids with guns—particularly in Israel-Palestine, but arguably anywhere—it goes to their head. So I did not feel antisemitism. I didn't feel threatened. I've travelled across the Arab Muslim world. I've been to Afghanistan for work and various other places. Again, I'm not walking around with a kippah in Kabul, or Gaza for that matter. I'm a secular Jew, so I'm not religious. I call myself an atheist Jew, but I'm proud of the Jewish tradition of dissent that exists. So the short answer is no.

The Hon. STEPHEN LAWRENCE: What do you think explains resistance against the State of Israel and antipathy towards Israel in the West Bank and in Gaza? Is it long-running, ancient antisemitism or is it something more contemporary that we need to understand? I say "we need to understand" because it relates to some degree to a state of affairs that exists here in our community as well, among different communities.

ANTONY LOEWENSTEIN: When you say "resistance", do you mean violent resistance or just people who might go to a protest in Ramallah?

The Hon. STEPHEN LAWRENCE: I mean the full spectrum of resistance that might come under the rubric of this apparently controversial term "intifada", which might be peaceful protest or it might be extreme resistance. Are these things manifestations of antisemitism, as some would have us believe, or are they some other thing driven by more contemporary events?

ANTONY LOEWENSTEIN: In my experience and reporting, the vast bulk of it has nothing to do with animus towards Jews per se. There is deep criticism, frustration and anger towards Israelis who are Israeli Jews, to be sure, but if you live in Gaza, the West Bank or, frankly, even in Israel as a non-Jew, you are not treated as an equal citizen. It is wholly legitimate. It's like saying to someone in South Africa in 1985, "Do you hate white people?" I'd say a lot of blacks in South Africa would say, "Yes, I do hate the white government. They are horrible."

If you ask a lot of people in Ukraine today how they feel about Russia, do they hate all Russians? Some would—many would—and you can understand why they would. That's not based on religion, I understand that. But the idea that it is somehow wholly impossible to understand why a Palestinian or, for that matter, an Israeli Jew is opposed to what the State of Israel is doing—you have every major human rights organisation in the world and every leading Israeli Jewish and Palestinian human rights organisation all saying in the last five, 10 years basically the same thing: that we have a system of Jewish supremacy here, it's unequal and it's apartheid.

People here might not want to hear those words, but that is what is happening. I have seen, over 20-plus years of reporting on this, that the vast, vast bulk of people who are opposed to that system are not antisemitic. I'm not saying they don't exist; I'm not saying those people aren't a problem. They exist, but it's a tiny minority of people. I think it's easy in the West, and certainly in more so-called establishment circles, to say that any animus towards Israel is because they've always hated Jews. Yes, there are some people historically—I'm Jewish; my family were killed in the Holocaust. I'm very well aware of where antisemitism can lead. But the vast bulk of criticism, opposition and resistance to Israel—both in the Middle East and beyond—in my experience and view is not about a hatred of Jews.

The Hon. CHRIS RATH: Thank you for appearing and for your evidence so far. Do you accept that Sydney has been dealing with terrible forms of antisemitism since October 7?

ANTONY LOEWENSTEIN: I certainly accept that there has been an apparent rise, in certain circles, of fear amongst elements of the Jewish community. I think there is certain evidence—whether it's physical attacks against Jews who have obvious so-called Jewish garb or attacks against synagogues—that is real and utterly unacceptable. But the "however" is important here. If one sees on the streets of Sydney "Eff Israel" daubed on the side of a house or a police car, is it antisemitism? I would question whether that is. Does that make Jews uncomfortable? Yes, some Jews. Is that antisemitism?

The Hon. CHRIS RATH: What if it was "Eff the Jews"?

ANTONY LOEWENSTEIN: That is not something I would ever do, support or like. The confusing part about this question is that, as we all know, a lot of these so-called attacks were, from what we understand, not done by antisemites. They were done by criminal gangs for perceived hopeful benefit with the police. None of that is to excuse firebombing a synagogue, which I know happened in Melbourne. None of it is acceptable. I understand, as someone Jewish and just as a Sydneysider, that that sort of behaviour is completely unacceptable, regardless of the reason. But I think it is a mistake to operate under the presumption that Jewish Australians—roughly 110,000 of us, give or take—are living under a situation here which is akin, as so-called Jewish leaders often say, to 1933 Berlin. That language is used regularly. We are living in, so we're told, unprecedented times of antisemitism. I do not accept that. I accept it's rising; I accept that there are problems with certain animus towards Jews. But I think Israel is a key factor here.

We cannot simply argue—and when I say "we", I mean the wider community—that Israeli actions have no impact on people's animus towards Jews. None of that makes it acceptable to have a hatred of Jews. When the Jewish establishment says there is no difference between Israel and Judaism—it's the same thing, so we're told—can we be surprised that people in the wider community, the majority of whom are non-Jews, see no distinction? Why would there be a distinction? They've just been told by the Jewish establishment that there's no difference.

The Hon. CHRIS RATH: But I think the context is important, and we agree on that. There is a big difference between a flag or banner out the front of the Israeli embassy or consulate that says, "Eff Israel", versus graffiti on the side of a synagogue that says, "Eff Israel". Do you accept that they're two very different examples whereby, in the case of the graffiti on the synagogue, it is more intentional, more deliberate and more targeted to the Jewish community than simply a banner in a protest out the front of the Israeli embassy?

ANTONY LOEWENSTEIN: I think daubing the side of a synagogue with something like that is supposed to make Jews uncomfortable. There's no question about that, and I completely oppose that. I said it publicly long before October 7. That kind of—whether you want to call it antisemitism or intimidation, it's not okay. It's totally unacceptable—completely unacceptable. But just to be clear, if one looks at the statistics of many of the pro-Israel groups since October 7, they, as did the ADL—the Anti-Defamation League in the US—put down things like "Person X waving a 'Free Palestine' flag is antisemitism". This is where the danger is. If you look at those statistics, many—not all, but many—of those so-called incidents are "Jewish student X at Sydney Uni didn't feel comfortable with seeing the Palestinian flag" or someone wearing a keffiyeh, the Palestinian headscarf.

The Hon. CHRIS RATH: But, again, it's the context. If it's at a rally and they've got a "Free Palestine" flag, versus if they were protesting out the front of synagogue with a "Free Palestine" flag, it is a different context. These things need to be taken into consideration.

ANTONY LOEWENSTEIN: It's a different context, but there's a difference between—and this, I think, is the danger that we have. The Jewish community leadership is telling Jews that we are at a massive code red moment. If you read the Jewish press, as I do, the argument is regularly made that Jews have to look to whether they need to leave Australia; it's that serious. I think that is utterly irresponsible. I'm not denying that antisemitism exists—I'm not saying that—but there's a difference between acknowledging it and fighting it, and saying, "Look for a plane out." That sentiment is reflected in the Jewish press constantly. It is deeply dangerous and irresponsible,

and simply not true. There are 110,000 Jews, roughly. The idea that somehow the vast majority of us are looking over our shoulder every day is absurd. It's absurd. I don't accept that at all.

The Hon. CHRIS RATH: What if was a comment like "The Zionists need to be executed"?

ANTONY LOEWENSTEIN: It's not a comment I would make.

The Hon. CHRIS RATH: Is that antisemitic? Because it's not saying the Jews need to be executed; it's saying the Zionists need to be executed. Is that a form of antisemitism, in your opinion, or is that legitimate anti-Israel speech?

ANTONY LOEWENSTEIN: I'll preface my answer. It's not a comment I have ever made or would ever make—don't make. I don't use that kind of language. I think it's ill advised, to put it mildly. Is it antisemitism? Depending on the context, it could be, but it also might not be. It's honestly hard to say, but it's something that I think is unnecessary and I encourage people not to use that language. I don't use that language; I think that language is unnecessary, completely. Whether it's by definition antisemitic, I guess the potential threat of violence—if that's there in the way it's said or expressed then that's a problem.

The Hon. CHRIS RATH: Do you support the elimination of the State of Israel?

ANTONY LOEWENSTEIN: I support the concept of a secular, democratic State. I've written books about this and talked about this for years. I think Jews have the right to live in safety anywhere they want.

The Hon. CHRIS RATH: You don't support the right of Israel to exist?

ANTONY LOEWENSTEIN: Just to be clear, when one—I'm not saying you particularly—asks that question, no State has the right to exist. This doesn't exist as a legal concept. Australia doesn't have "the right" to exist. Israel exists.

The Hon. CHRIS RATH: We have State sovereignty.

ANTONY LOEWENSTEIN: Yes, sovereignty, but there's no concept in international law that says Australia has a right to exist. The idea that Israel is allowed to continue a policy, which has been going on for decades, which prioritises Jews over anybody else, it seems to me anyone who's in a Western State that believes in a secular democracy—as I hope most people on this Committee would—would have a fundamental problem with that. I'm not saying you, but people who support the idea of a Jewish State mean that, by definition, and I've written about this for years.

By the way, when I say this, I'm equally opposed to a Hindu fundamentalist State in India—which is what Modi is doing—or a Christian fundamentalist State or a Muslim fundamentalist State. The issue is not because it is Jewish; that's not the issue. The issue is it's discriminating against those who are not Jewish, or are not Muslim, or are not Hindu in India. That's the issue. This idea somehow that Israel as a Jewish State is a necessary safe haven and homeland—in my view, as a Jew, it is more unsafe to be a Jew in Israel than in any other country in the world. Israel's behaviour is making all of us—Jews and everyone else—more unsafe. In theory, we can talk about the concept of a secure Jewish State, but at what cost, and to whom? "To whom?" is my response to that.

Dr AMANDA COHN: I wanted to follow up. There has been extensive discussion about what is and isn't labelled antisemitism. Trying to take a step back from that, I'm interested in your view on what the impact is of getting this wrong. If legitimate political opinion is labelled antisemitism, what does that mean for the Jewish community in Australia or anywhere?

ANTONY LOEWENSTEIN: When one talks about the Jewish community, like the Muslim community or any community, the danger we often have is that the loudest voices—mostly from a very hardline, pro-Israel view—"speak for all Jews". I'm not saying that you're saying that, but that's what we regularly hear if one listens to some of the, in my view, very extreme, pro-Israel organisations here. The Executive Council of Australian Jewry, before the last election, put out a 15-point plan—or maybe it was an 11-point plan; it was a plan—on how to deal with antisemitism. It was a deeply anti-democratic statement. It said there should be a monitoring of how funding goes to organisations, like arts organisations, that are deemed antisemitic. Who makes that decision?

For these organisations, any serious criticism of Israel is antisemitic. The danger is that we move towards a situation like the US is going down under Trump, where you have legitimate political protests by Jewish, Palestinian and other protesters, like from Colombia and elsewhere, who are not citizens and who are imprisoned and threatened with deportation. They have not committed a crime. They haven't been accused of being violent. They have written an article calling for, say, boycotts against Israel. They're calling for the end of the war in Gaza or whatever it may be.

The danger is that we go down a path, as Australians and people in New South Wales, that almost essentially says that Israel is beyond criticism, that it is a State that is somehow so fragile that it can't handle criticism. Why is that? Are we saying that about Turkey? Are we saying that about Fiji? Are we saying that about anywhere else? Israel is a nuclear-armed power in the Middle East, but somehow, if we allow certain criticism of that State, that State will wilt and the Jewish community here will not handle it. Really? I'm not saying that you're saying that, but that's the argument.

I worry that there is a serious push by some politicians, many in the Murdoch press and too many in the mainstream Jewish community for an environment where Israel is a protected species. The "acceptable" speech is determined by whom? Them? What is that acceptable speech? Is it that Israel is a thriving democracy and is looking for peace with its neighbours, when the evidence is obviously the opposite of that? That's what worries me. There are too many forces—particularly in the Murdoch press, politicians and elements in the so-called mainstream Jewish community—that are pushing for that outcome. That worries me. There are groups like the Jewish Council, of which I'm involved, and others that are also Jewish. A growing constituency fundamentally opposes that perspective, and that view needs to be heard far more.

The CHAIR: Thank you very much for coming.

(The witness withdrew.)

The Committee adjourned at 17:05.