

## **My Opposition to the Combatting Antisemitism, Hate and Extremism Bill 2026**

As a white Christian Australian [REDACTED], I strongly oppose the Combatting Antisemitism, Hate and Extremism Bill 2026 in its current exposure draft form. While I support efforts to combat genuine hatred and violence in our society, this bill represents a dangerous overreach by the government that threatens core freedoms enshrined in Australian democracy. It disproportionately impacts law-abiding citizens like myself by infringing on my rights to free speech, religious expression, privacy, and self-defense.

Below, I outline my key concerns based on the bill's provisions, explaining how they could directly affect me as an individual who values my Christian faith, cultural heritage, and personal liberties.

### **1. Infringement on Free Speech and Religious Freedom (Schedule 1: Racial Vilification Offence and Hate Symbols)**

The bill introduces amendments to the Criminal Code Act 1995, including a new racial vilification offence (Part 5) and expanded prohibitions on hate symbols (Part 7). These changes criminalise public conduct that could be interpreted as inciting hatred based on race, religion, or nationality, with reversed burdens of proof for defences and lowered fault elements for offences involving symbols.

- **How this infringes on me:** As a Christian, my faith involves sharing biblical teachings on topics like marriage, morality, and social issues. What if expressing traditional Christian views—such as opposition to certain lifestyles based on scripture—is misconstrued as “vilification” or “inciting hatred” against protected groups? The bill’s broad language, which includes gestures, symbols, or displays that a “reasonable person” from a targeted group might find offensive, could chill open religious discourse. For instance, displaying a cross or quoting Bible verses in public debates might be challenged if someone claims it promotes exclusion. This isn’t hypothetical; similar laws elsewhere

have been used to target religious speech, and the bill's focus on antisemitism (while laudable) seems to prioritise one form of hate over others, like anti-Christian sentiment. As a white Australian of European descent, I also worry that discussions about cultural preservation or immigration could be labeled as "national" vilification, silencing my voice on matters affecting my community.

- **Broader concern:** This erodes Section 18C of the Racial Discrimination Act's balance by expanding criminal penalties, potentially leading to self-censorship among Christians who fear prosecution. It feels like the government is picking winners in cultural debates, infringing on my right to freely practice and express my religion under Section 116 of the Australian Constitution.

## **2. Suppression of Associations and Groups (Schedule 1: Prohibited Hate Groups)**

Part 4 introduces a new Part 5.3B to the Criminal Code, allowing the government to designate "prohibited hate groups" via regulations if they advocate hatred or violence against groups based on race, religion, or other attributes. This includes consequential amendments to acts like the Australian Security Intelligence Organisation Act 1979 for surveillance.

- **How this infringes on me:** Christian groups or conservative organisations I might associate with—such as those advocating for traditional values or opposing certain policies—could be unfairly labeled as "hate groups" if their rhetoric is deemed inflammatory by authorities. The bill requires ministerial consultation and parliamentary review, but the power to add or remove groups via regulation gives too much discretion to the executive, with potential for political bias. As a white Christian, I fear this could target groups that discuss issues like religious freedom or cultural identity, especially if they criticise policies seen as favouring other religions or ethnicities. This infringes on my freedom of association, making me hesitant to join or support faith-based communities for fear of surveillance or criminalisation.

- **Broader concern:** The definition is vague, relying on “reasonable grounds” for prohibition, which could be abused to suppress dissenting views rather than actual extremism. This echoes historical overreaches where religious groups were marginalised.

### **3. Erosion of Gun Ownership Rights and Self-Defence (Schedule 4: Firearms Amendments, Including National Gun Buyback and Background Checks)**

The bill creates a national gun buyback scheme (Part 1) to reduce firearms in the community and expands background checks (Part 2) through AusCheck, involving ASIO and the Australian Crime Commission (ACC) for criminal intelligence assessments. It also tightens import restrictions on various firearms and accessories.

- **How this infringes on me:** As a law-abiding Australian who owns firearms for legitimate purposes like hunting, sport, or property protection, the mandatory buyback scheme forces me to surrender weapons at government-set prices, effectively disarming me without fair compensation or choice. This directly impacts my ability to defend myself and my family, which aligns with Christian principles of stewardship and protection (e.g., providing for one’s household as in 1 Timothy 5:8). The expanded background checks invade my privacy by allowing intelligence agencies to scrutinize my personal history, including spent convictions, for firearms licensing. As a white Christian in a rural or suburban area, I see this as part of a broader push to centralise control, making it harder for ordinary Australians to own guns while criminals ignore laws.
- **Broader concern:** Australia’s strict gun laws post-Port Arthur have worked, but this bill goes further without evidence that legal owners are the problem. It treats all gun owners as potential threats, infringing on property rights and personal autonomy. The focus on “extremism” links gun control to hate crimes, potentially profiling people like me based on faith or background.

### **4. Privacy Violations and Government Overreach (Multiple Schedules, Including Migration and Customs Amendments)**

Schedules 2 and 3 amend migration and customs laws to prohibit materials related to hate or extremism, while background checks (Schedule 4) share personal data across agencies.

- **How this infringes on me:** Enhanced surveillance and data-sharing could monitor my online activity, religious reading materials, or imports (e.g., Christian literature or symbols). If I discuss faith-based topics on social media, it might flag me under aggravated offences for “preachers and leaders” (Schedule 1, Part 1). As a Christian, importing Bibles or crosses could be scrutinized if linked to “hate symbols.” This feels like an assault on my privacy and dignity, treating me as suspect simply for my beliefs.
- **Broader concern:** The bill’s cumulative effect creates a surveillance state, where everyday Australians face increased scrutiny. It’s unbalanced, emphasising antisemitism while ignoring other hates, potentially discriminating against majority groups like white Christians.

In summary, this bill, while aimed at noble goals, risks turning Australia into a place where free expression, religious practice, and personal rights are secondary to government control. It could marginalise white Christians like me by labelling our views as “extremist” and stripping us of tools for self-reliance. I urge lawmakers to reject or heavily amend this draft to protect all Australians’ freedoms equally. If passed, it sets a precedent for further erosions of liberty that contradict our democratic values.

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**The Combatting Antisemitism, Hate and Extremism Bill 2026** (exposure draft) introduces a new **racial vilification offence** in **Schedule 1, Part 5 of the Criminal Code Act 1995**, which significantly differs from — and escalates beyond — **Section 18C of the Racial Discrimination Act 1975 (RDA)**. As a white Christian Australian, this concerns me deeply, as it shifts from civil remedies to criminal penalties, potentially criminalising religious expression or discussions on cultural issues that could be interpreted as promoting racial superiority or hatred.

### Key Text of Section 18C (Current Law)

Section 18C makes it **unlawful** (civil, not criminal) for a person to do a public act, otherwise than in private, if:

- The act is reasonably likely, in all the circumstances, to **offend, insult, humiliate or intimidate** another person or group; and
- The act is done **because of** the race, colour, or national or ethnic origin of that person/group.

This is a civil provision handled by the Australian Human Rights Commission (conciliation first), with potential escalation to Federal Court for remedies like apologies or modest damages — no imprisonment. Courts have interpreted it to require “profound and serious” effects, not “mere slights,” and **Section 18D** provides broad exemptions for fair comment, artistic works, academic discussion, and good-faith public interest debate.

### The Proposed Racial Vilification Offence in the 2026 Bill

The bill creates a new **criminal offence** (Part 5 amendments to Criminal Code Act 1995) for publicly **promoting or inciting racial hatred**, or disseminating ideas of superiority or hatred towards a person/group based on **race, colour, or national or ethnic origin**. The conduct must be such that it would cause a **reasonable person** to feel **intimidated, harassed, or fear violence** (or for their safety).

- **Penalty:** Up to **5 years imprisonment** (higher if aggravated, e.g., involving preachers/leaders or targeting children).
- **Scope:** Broadly covers speech, symbols, gestures, online content, and public acts. It applies a **principles-based test** without requiring proof that hatred was actually generated — only that it would reasonably cause fear/intimidation/harassment/violence.
- **Narrow defence:** Does **not** apply to conduct consisting **only** of directly quoting/referencing a religious text **for the purpose of religious teaching or discussion**.
- This targets “hate preachers” (e.g., aggravated offences up to 12 years for religious leaders advocating/threatening violence).

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## Key Comparisons and How the Bill Escalates Beyond 18C

Aspect	Section 18C (RDA 1975)	Proposed Racial Vilification Offence (2026 Bill)	Implications for Me as a White Christian Australian
Nature	Civil (unlawful act)	Criminal offence	Shifts to potential jail time — far more severe.
Threshold/Harm	Reasonably likely to offend, insult, humiliate, or intimidate	Would cause reasonable person to feel intimidated, harassed, or fear violence	Higher bar (fear/violence vs. mere offence/insult), but still subjective and broad enough to capture strong opinions.
Intent/Proof	No need to prove intent; objective “reasonable likelihood”	Inciting/promoting hatred; no need to prove actual harm occurred	Easier to prosecute without showing real-world impact.
Penalties	Conciliation, apology, modest	Up to 5–12 years imprisonment	Criminal record and prison risk for speech.

	damages		
<b>Exemptions/Defences</b>	Broad (18D: good-faith fair comment, academic, artistic)	Very narrow (only pure religious text quoting for teaching/discussion )	Limited protection for Bible-based discussions on morality, culture, or history if seen as promoting “superiority” or hatred based on ethnicity/national origin.
<b>Scope</b>	Race, colour, national/ethnic origin	Same, but criminalized with incitement focus	Could chill debates on immigration, cultural identity, or biblical views on nations/peoples.

The bill’s focus on racial grounds (while emphasising antisemitism) excludes religion in the core offence, creating potential inconsistencies — e.g., anti-Christian sentiment might not be covered equally. The narrow religious defence helps with direct Bible quoting but doesn’t fully protect interpretive preaching or cultural commentary that could be twisted as “inciting hatred” toward ethnic/national groups.

## Why This Infringes on My Rights

As a Christian, I rely on scripture for guidance on topics like nations, morality, and society — passages could be misinterpreted as promoting ethnic “superiority” in heated debates. The criminal nature and 5-year penalty create a chilling effect on free speech and religious expression, far beyond 18C’s civil framework. Combined with other bill elements (e.g., prohibited hate groups, symbols), it risks labelling conservative Christian views as “extremist,” infringing on my freedoms under the implied constitutional freedom of political communication. This escalation from civil to criminal, with a rushed process post-Bondi attack, prioritizes control over balanced protections. I urge amendments for stronger free speech safeguards and broader



exemptions to avoid disproportionately affecting law-abiding Australians like me.

### **Comparison of Exemptions/Defences: Section 18D (Racial Discrimination Act 1975) vs. the Proposed Racial Vilification Offence in the Combatting Antisemitism, Hate and Extremism Bill 2026**

As a white Christian Australian in Melbourne, the stark difference in protections for free speech and religious expression between the existing **Section 18D** exemptions and the narrow defences in the Bill's new criminal racial vilification offence (Schedule 1, Part 5 of the Criminal Code Act 1995) is one of my biggest concerns. Section 18C is civil and balanced by broad free speech safeguards under 18D, while the Bill escalates to criminal penalties (up to 5 years imprisonment, or more if aggravated) with only a very limited carve-out — primarily for directly quoting religious texts in teaching or discussion.

This shift could chill my ability to discuss biblical teachings on topics like nations, morality, or cultural identity without fear of prosecution, especially if interpreted as promoting ideas of “superiority” based on race, colour, or national/ethnic origin.

#### **Key Text of Section 18D (Current Law – Broad Exemptions)**

Section 18D provides robust defences to acts that would otherwise breach 18C. It states that Section 18C does **not** make unlawful anything said or done **reasonably and in good faith** in:

- The performance, exhibition, or distribution of an **artistic work**;
- The course of any statement, publication, discussion, or debate for any **genuine academic, artistic, or scientific purpose**, or any other **genuine purpose in the public interest**;
- Making or publishing a **fair and accurate report** of any event or matter of public interest;
- Making or publishing a **fair comment** on any event or matter of public interest if the comment is an expression of a genuine belief held on reasonable grounds.

These exemptions protect a wide range of speech, including fair political commentary, academic debate, journalism, and artistic

expression — provided it's done reasonably and in good faith. Courts have upheld them in cases involving public interest discussions, comedy, or reporting.

### **Defences in the Proposed Racial Vilification Offence (2026 Bill)**

The Bill introduces a **new criminal offence** for publicly promoting or inciting racial hatred (or disseminating ideas of superiority/hatred based on race, colour, or national/ethnic origin) where it would cause a reasonable person to feel intimidated, harassed, or fear violence.

Unlike 18D's broad protections, the defences are **extremely narrow**. The offence does **not** apply to conduct that consists **only** of:

- Directly quoting from, or otherwise referencing, a **religious text** for the purpose of **religious teaching or discussion**.

This is described in reports as a “very narrow defence” — it covers pure scripture quotes or references in a teaching/discussion context, but **not** broader commentary, interpretation, preaching with application to modern issues, or any extraneous statements. Officials have clarified it excludes “any extraneous commentary” outside direct quotes.

No equivalent protections exist for artistic works, fair comment on public interest matters, academic/scientific debate, or accurate reporting.

The Bill's approach — rushed post-Bondi and focused heavily on antisemitism — provides a narrow religious carve-out (possibly to avoid capturing certain scriptures), but it lacks 18D's comprehensive free speech defences. Civil liberties groups criticise it for creating “hierarchies of justice” and insufficient protections.

This disproportionately threatens my rights to freely express and discuss Christian beliefs without fear of criminal charges. I strongly oppose the Bill in its current form and call for amendments to include broader 18D-style exemptions to preserve democratic freedoms for all Australians.

## The Combatting Antisemitism, Hate and Extremism Bill 2026

(exposure draft) escalates Australia's approach to hate speech far beyond the current civil framework of **Section 18C** of the **Racial Discrimination Act 1975**, by introducing a **new federal criminal offence** for publicly promoting or inciting racial hatred. Critically, this offence criminalises speech or conduct based on a **hypothetical "fear" threshold** — without requiring any actual harm, actual fear experienced by anyone, or proof that hatred was even generated.

### Key Details of the Proposed Offence (from the Bill's Exposure Draft and Public Reports)

The new offence (in Schedule 1, Part 5 amendments to the **Criminal Code Act 1995**) makes it illegal to publicly promote or incite racial hatred, or disseminate ideas of superiority or hatred based on **race, colour, or national or ethnic origin**, where the conduct **would cause a reasonable person** (who is the target or a member of the target group) to feel:

- **intimidated,**
- **harassed, or**
- **fear violence** (or fear for their safety).

### Important thresholds and features:

- No proof needed that **hatred was actually generated**.
- No proof needed that **anyone actually felt fear** or was harmed.
- The test is **objective and hypothetical**: only that the conduct **would** cause a "reasonable person" to experience these feelings "in all the circumstances".
- Applies broadly to speech, symbols, gestures, online content, and public acts.
- **Maximum penalty**: Up to **5 years imprisonment** (higher — e.g., 10–12 years — if aggravated, such as involving preachers/leaders, targeting children, or other factors).
- **Narrow defence**: Does **not** apply if the conduct consists **only** of directly quoting/referencing a religious text for religious teaching or discussion (no protection for broader interpretation, application, or commentary).

This is a major shift from **Section 18C**, which is purely civil (no jail time) and requires conduct reasonably likely to **offend, insult, humiliate, or intimidate** (a lower bar for the feeling, but balanced by broad **Section 18D** exemptions for good-faith public interest debate, fair comment, academic/artistic purposes, etc.).

### **Why This Represents Criminalisation of Speech Causing ‘Fear’ Without Harm**

The government’s own draft and media reporting (e.g., ABC News, Michael West Media, SBS) explicitly confirm: the offence hinges on potential to cause **fear/intimidation/harassment** in a hypothetical reasonable person — **even if no one is actually intimidated, no hatred results, and no harm occurs**. This lowers the bar for prosecution dramatically compared to existing laws, where actual incitement to violence or real-world harm is typically required for criminality.

As a white Christian Australian in Melbourne, this deeply concerns me because:

- Everyday expressions of Christian beliefs (e.g., biblical views on nations, morality, or culture) could be interpreted as disseminating ideas of “superiority” or hatred based on national/ethnic origin, triggering the hypothetical “fear” test.
- Discussions on immigration, cultural identity, or public policy critiques might be deemed to cause a reasonable person from certain groups to fear harassment/violence — without any real harm needed.
- The **chilling effect** is enormous: people like me may self-censor to avoid the risk of a 5-year prison sentence, criminal record, or investigation.

Ultimately, this legislation appears designed not just to combat genuine hate, but to **stop dissent** — particularly speech that challenges government policies or narratives. By criminalising speech that merely has the potential to cause subjective “fear” (without harm or actual impact), it hands authorities broad discretion to silence critics. Combined with other bill elements (e.g., prohibited hate groups, expanded surveillance, and gun restrictions), it feels like a power grab to control what Australians

can say, especially those from majority backgrounds like white Christians who question mass immigration or cultural changes.

In conclusion, this rushed bill recalling parliament early after the Bondi attack — prioritises control over balanced free speech protections. It creates a dangerous precedent where the government decides what speech is too “fear-inducing,” potentially muting opposition to their agenda. I urge all Australians to oppose or demand major amendments, including stronger safeguards like broad 18D-style exemptions and a requirement for actual harm/intent.

Our freedoms are too precious to sacrifice.