



National Council of Churches in Australia

Thursday, 15 January 2026

Senator Raff Ciccone, Committee Chair
Parliamentary Joint Committee on Intelligence and Security,
Parliament House
Canberra ACT 2600
Email: pjcis@aph.gov.au

**Submission to the Parliamentary Joint Committee on Intelligence and Security
on the Exposure Draft Legislation: Combatting Antisemitism, Hate and
Extremism Bill 2026**

Dear Senator Ciccone

Thank you for the invitation and opportunity to address the Parliamentary Joint Committee on Intelligence and Security on 14 January 2026 and to provide the following submission on behalf of the National Council of Churches in Australia.

Yours faithfully

Elizabeth Stone
General Secretary

Anglican Church

Antiochian
Orthodox Church

Armenian
Apostolic Church

Assyrian Church
of the East

Australian Catholic
Bishops Conference

Chinese Methodist
Church

Churches of Christ

Congregational
Federation

Coptic
Orthodox Church

Greek
Orthodox Church

Indian
Orthodox Church

Lutheran Church

Mar Thoma Church

Religious Society
of Friends (Quakers)

Romanian
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Submission to the Parliamentary Joint Committee on Intelligence and Security on the Exposure Draft Legislation: Combatting Antisemitism, Hate and Extremism Bill 2026

1. The [National Council of Churches in Australia](#) (NCCA) welcomes the intention of the Bill to combat rising antisemitism, hate and extremism that led to the Bondi massacre. On behalf of the NCCA, we extend our sincere sympathy to the families of those who were killed on 14 December 2025.
2. The NCCA comprises [18 national Christian Church members](#) from the mainstream Catholic, Orthodox and Protestant traditions, and values good relations with all other faiths in Australia. The following comments are informed by Christian faith – especially the belief that all are made in the image and likeness of God and thus all of humanity, in its diversity, is an expression of God’s creativity. Christians are called to love all others, and in doing so, contribute to building a safe, welcoming and inclusive community. All acts of violence, especially those motivated by racial and religious hatred are abhorrent before God and repulsive to Christians. The efforts in the Bill to strengthen legislation to combat antisemitism, hate and extremism and to reduce access to guns are welcome.
3. NCCA recognises the urgency to put in place additional measures to stem the rise of antisemitism, prevent further violence against the Jewish community and address the scourge of hate speech in order to ensure that all Australians feel safe and secure in their homes, schools, public spaces and places of worship. However, it would be preferable to allow more time to discuss and consider in greater detail and depth the provisions of the Bill to avoid unintended consequences. NCCA did not have adequate time to consult with our 18 member churches nor to obtain legal advice. The following comments are limited to some sections of Schedule 1 of the Bill.
4. **Free speech**
There is much in this Bill that focuses more on impact than intentionality and motivation. We must guard against the erosion of free speech which is a hallmark of Australia’s cherished liberal democracy. In re-affirming our national commitment to free speech, the new Bill needs to include clearer objective measures to determine when ordinary speech or religious teaching crosses over into hate speech. It is difficult, but some ‘objective criteria’ need to be set that can be used in making decisions as to what can or cannot be said that gives rise to criminal liability – beyond personal opinion. For us this would be when a speech creates a climate of fear for an individual or targeted group rather than affirming human dignity and building up the Australian community. Therefore, under the proposed new racial vilification offence (Part 5 of Schedule 1), we believe that the test for criminal liability needs to be changed to a standard reasonable person test that invokes general community standards as a guide to what sort of speech will incur criminal sanction.
5. **Religious text exemption**
Part 5 of Schedule 1, on Racial Vilification, Section 80.2BF (4) addressing publicly promoting or inciting racial hatred offers an exemption for religious teaching or

discussion. The proposed “carve out” is based on quoting directly from religious texts for the purposes of religious teaching or discussion. It would seem that groups, schools and academia are covered. It is not clear that the exemption covers preaching in a public place. It does feel as though this undermines the intention to prevent radicalisation and indoctrination particularly of young people by hate preachers. The focus should not be on a ‘text’ as such but on the ‘context’: the reason why a particular sacred text is being cited and the intentionality behind its use. The vast majority of religions in Australia promote love, peace, tolerance and respectful co-existence; and their preachers do not advocate the use of violence, threats or hatred, so they are highly unlikely to need recourse to such an exemption. We do not foresee its removal as impinging on religious freedom.

6. Faith leaders and preachers

The Bill proposes a new category of people under the criminal code: faith leaders and preachers who will receive harsher sentences for threatening force or violence while providing religious instruction. The scope of the Bill also includes those in secular pastoral care. There is a need for greater attention to definitions regarding ‘religious, spiritual and other leaders in the community’ that the new aggravated offence in Part 1 of Schedule 1 is intended to apply to. The aggravated offence would carry a maximum penalty of 10 years’ imprisonment, or up to 12 years’ imprisonment if the conduct would also threaten the peace, order and good government of the Commonwealth. This provision is clearly aimed at those who preach hate and seek to radicalise their followers to engage in violence. Religious leaders do carry additional responsibility due to their position of influence; however penalties for offences should be based on their conduct not their status.

7. Protected Groups and Targeted Groups

The scope of the Bill is limited to promotion of hatred “or inciting hatred toward another person or group on the grounds of race, national or ethnic origin”. The inclusion of the attribute of ‘colour’ is not consistently included in the amendments to legislation relating to criminal law and only occurs in the Bill under the new provision covering hate speech (Part 5 of Schedule 1). ‘Colour’ is not an attribute included in the new aggravated sentencing factor (Part 3 of Schedule 1) nor included under the new framework for prohibition of hate groups (Part 4 of Schedule 1). We believe that it is very important to ensure that Australia’s First Peoples, our Aboriginal and Torres Strait Islander people, and our Culturally and Linguistically Diverse (CALD) peoples in Australia are protected from hate crime and extremism as they are daily targeted and affected by hate speech, racial vilification, racial discrimination, social and economic marginalisation.

At the very least Australia’s First People should be a part of consultations on the introduction of this new legislation. With the proposed introduction of the new aggravated sentencing factor (Part 3 of Schedule 1) and the new racial vilification offence (Part 5 of Schedule 1) there is reference to targeted groups.

In addition to the Australia’s First Peoples and CALD persons and groups, we note that there are people targeted for hatred by groups on the basis of their religion, gender, disability and age in Australia. These targeted groups are all entitled to protections under

the Criminal Code by the Australian Parliament in order to feel safe and secure in their homes, schools, public spaces and places of worship, and from the media.

8. **Education**

Beyond the scope of this legislation, it will be important to increase investment in civic and citizenship education, to include awareness of combatting antisemitism; and to promote social cohesion; which many Christian schools, agencies and churches already do.

9. **Conclusion**

There are other concerns but owing to the short timeframe we cannot address them. These include *inter alia* the need for greater clarity on definitions, e.g. racial vilification; and in defining a hate crime that emphasises the impact on victims rather than intention of the perpetrator, and increasing the powers of the executive to the detriment of the judiciary.

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Yours faithfully

Elizabeth Stone, General Secretary National Council of Churches in Australia

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