

Australia: Labor governments exploit Bondi shootings to impose sweeping anti-democratic laws

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23 December 2025

This morning, the New South Wales (NSW) state Labor government partnered with the official Liberal Party-led opposition to push through parliament laws that overturn the right to protest and hand extensive powers to the police to crack down on all forms of political dissent.

In a related move, the federal Labor government simultaneously rushed this week to seize on the December 14 Bondi Beach terrorist mass shootings as a pretext to introduce far-reaching legislation that overturns fundamental democratic rights.

The immediate aim is to suppress the large protests that have continued against the intensifying Gaza genocide and widespread Israeli killings in the occupied West Bank of Palestine—demonstrations that the Labor governments and the entire political and media establishment have deliberately slandered as antisemitic. But the laws create a framework that can effectively criminalise all political gatherings.

The NSW Terrorism and Other Legislation Amendment Bill was rammed through both houses of the state parliament in less than three days. That was despite more unanswered questions emerging about how the two alleged Bondi Beach gunmen, Sajid and Naveed Akram, were able to execute a plan to kill innocent Jewish people at a beachside festival without being detected and stopped by police and intelligence agencies.

First and foremost, the bill gives the state's police minister and police chief the power to ban all "public assemblies," of any kind, across the entire state once they issue a declaration that a terrorist event has occurred. Initially, the blanket ban, which also forbids a court from authorising a demonstration, can last for 14 days, but it can be extended repeatedly by the government and the police for up to 90 days.

These bans activate police powers to attack demonstrations and political gatherings, and conduct large-scale arrests, potentially on serious charges such as unlawful assembly, affray and riot.

The police chiefs or the minister only have to declare that they are "satisfied" that the holding of a public assembly "would be likely" to cause a "reasonable person" to fear "harassment, intimidation or violence," or for their own safety, or to cause "a risk to community safety."

These phrases are broad, vague and discretionary. All that is required is that some "reasonable person" could allegedly fear for their safety.

That is enough to criminalise any public event directed against government or corporate policies—whether it be their complicity in the Gaza genocide, the spending of billions of dollars on the preparations for war, or responsibility for the climate disaster, soaring economic inequality and the slashing of education, health and other social spending.

There is a limited exception for "a public assembly that forms part of industrial action, an industrial dispute or an industrial campaign." In effect, that will cover events sanctioned by trade union leaders, many of whom have also rushed to declare their support for the legislation. Existing laws prohibit virtually all forms of industrial action outside formal enterprise bargaining periods.

NSW Premier Chris Minns said static rallies would not be covered, only marches, but he added the police could shut them down if they were regarded as a "breach of the peace."

The bill further boosts such police powers. A police officer will be able to order anyone to remove a face covering "for identification purposes" if "the person is participating in a protest, demonstration, procession or assembly and the officer reasonably suspects the person may have, or is likely to, commit an offence."

Moreover, the legislation makes it a serious offence, punishable by up to two years' jail, to publicly display "a prohibited terrorist organisation symbol." That raises the prospect of mass arrests, such as those carried out by the Starmer Labour government in the UK, for holding placards supporting, or opposing the prohibition of, a designated group.

The definition of a “prohibited” organisation is linked to the federal government’s arbitrary executive power to outlaw allegedly terrorist organisations—a power that the federal Labor government moved this week to extend to political groups that it accuses of promoting “hate.”

The NSW legislation also introduces various restrictions on gun licences, mainly to generally limit ownership to four weapons. Yet there is still no explanation as to how and why the NSW police granted Sajid Akram a firearms licence in 2023, just four years after he was questioned and his son was reportedly investigated for six months by ASIO, the domestic intelligence agency, on suspicion of links to Islamic State groups.

Addressing the media yesterday, Premier Minns reiterated that more repressive laws are to come early next year. That will include widening the laws against “hate speech” that his government rushed through in February on the back of claims of a wave of antisemitic attacks in Sydney, which were later shown to be the work of criminal gangs.

Minns doubled down on his declaration that the next legislation will specifically outlaw the slogan “globalise the intifada”—intifada meaning “to shake off” oppression. He said this slogan referred not just to the Middle East, “but here in Sydney, in our streets.” He declared that a “strong police presence” was essential to prevent a “tinderbox” of “disunity.”

During the NSW upper house session last night, the Greens unsuccessfully moved a token amendment to limit public assembly bans to 14 days, except where a court permitted extensions to 90 days. The Greens then abstained in voting on the bill, thus refusing to vote against it.

The Greens’ amendment would still have left the anti-democratic banning power in the hands of the capitalist state, whether it be a minister, police chiefs or judges. Yesterday, the Greens joined other groups in announcing a court challenge to the constitutional validity of the legislation, the precise grounds of which have not yet been published.

Prime Minister Anthony Albanese and other federal Labor government ministers called a media conference yesterday to outline laws they intend to fast-track early next year. Attorney-General Michelle Rowland spoke vaguely about a new “vilification” offence to “criminalise inciting hatred.” She said the government would also create a new “aggravating” offence aimed at adults who seek to “radicalise and influence” young people.

The most far-reaching announcement came from Home Affairs Minister Tony Burke. He said the government planned to proscribe “hate” organisations and make it illegal for people to join those groups. This essentially means outlawing political groups that fall outside the existing

provisions that allow the government to outlaw groups that it designates as terrorist.

Burke said he had tasked his department to check the behaviour of Hizb ut-Tahrir, an Islamic political organisation, and the Neo-Nazi National Socialist Network (NSN). But Burke’s language indicates the creation of a wider political proscription power. He said it would apply to organisations that “for a long time have been able to take hate right to the threshold” to escape “terrorist listing.”

Introduced two decades ago as part of the post 9/11 “war on terrorism,” the federal Criminal Code definition of terrorism already covers any use of force or “coercion,” potentially including a mass demonstration, that seeks to influence a government for political, religious or ideological reasons.

Going beyond that definition openly violates, even more than the “terrorism” proscription laws, the constitutional bar on outlawing political parties by executive decree, a bar that was reinforced by the 1951 defeat of a constitutional referendum called by the Menzies Liberal-Country Party government to give it the power to ban the Communist Party.

In the state of Victoria too, the state Labor government is rushing to give police extra powers to stop or move on protests after a declared terrorist event. Premier Jacinta Allan said her government would expand new “anti-vilification laws,” which make offences such as “incitement of hatred” punishable by up to five years’ jail.

These developments are a warning. The reactionary Islamic State-linked terrorist attack on the Jewish gathering at Bondi Beach is being cynically exploited by state and federal governments to not only ban anti-genocide protests, but suppress brewing opposition among workers and young people to the plunge into war, social austerity, climate catastrophe and authoritarian forms of rule.



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