

Australian government exploits Bondi shootings to launch historic attack on free speech

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The Albanese Labor government will try to ram far-reaching “hate crime” laws through a special recalled two-day session of parliament on Monday and Tuesday, despite an intensifying political crisis over its plans, and more than 7,000 submissions from organisations and members of the public against the bill.

Backed by the corporate media, Labor’s assault on free speech is being conducted on the false pretext of responding to the reactionary Islamic State-inspired mass shootings that killed 15 people at a Jewish religious event at Sydney’s Bondi Beach on December 14.

By identifying the terrorist attack with overwhelming anti-genocide sentiment, the legislation is, first of all, designed to suppress all expressions of opposition to the ongoing killing of Palestinians being committed by the US-backed Israeli regime—outrage that has produced mass protests, such as the 300,000-strong march over the Sydney Harbour Bridge on August 3.

Labor’s Combatting Antisemitism, Hate and Extremism Bill 2026 goes even further, however. It is one of the most serious assaults on democratic rights and political dissent since the right-wing Menzies government outlawed the Communist Party in 1950, only to be defeated in a referendum the next year after the High Court ruled the ban to be unconstitutional.

Labor’s bill contains arbitrary powers for the federal government to not only criminalise targeted political opinion—branded as “hate crimes”—but to declare political parties or organisations to be “prohibited hate groups.” Their members and supporters face up to 15 years’ imprisonment. That effectively overturns the outcome of the 1951 referendum to deny governments such political banning powers.

Only unveiled at short notice last Monday night, the more than 450 pages of legislation and its explanatory memorandum also create powers to jail people for displaying symbols opposing such prohibitions, as well as to revoke visas and deport non-citizens who have any alleged “association” with such groups and to ramp up surveillance powers.

Without defining “antisemitism,” the legislation labels it as a “hate crime.” That effectively paves the way for opponents of the genocide in Gaza, or of the underlying racist ideology of Zionism, to be jailed for up to five years.

That is entirely in line with the false equation of anti-Zionism

with antisemitism by the definition that the Labor government has adopted as part of its implementation of last year’s witch-hunting report by its “antisemitism envoy” Jillian Segal, and with Labor’s launch of a Royal Commission that has nothing to do with investigating the circumstances of the Bondi attack, but is directed against the widespread opposition to the Gaza genocide and Australia’s complicity in it.

Nothing in the bill is genuinely about protecting anybody, including people of Jewish backgrounds, from violence or fear. Speech that allegedly “incites” violence is already a crime at the state and federal levels in Australia. Moreover, the bill even goes well beyond “anti-vilification” laws, such as the already anti-democratic section 18C of the federal Racial Discrimination Act, which makes it a civil offence to “offend” a person or group because of their alleged race, colour, national or ethnic origin.

None of the essentially tactical objections being raised within the media and political establishment involve any opposition to the assault on democratic rights. The Liberal-National Coalition, led for now by Sussan Ley, is demanding more explicit provisions against anti-genocide and anti-Zionist dissent, while the Greens are calling for wider definitions of “hate speech.”

To avert a crisis over the bill, Prime Minister Anthony Albanese is reportedly hoping for a deal with the Greens to rush it through the Senate, where the government lacks a majority.

What is in the bill?

The bill proposes powers that can be used to outlaw wider expressions of political opposition to the ruling corporate and political establishment, including preparations for war.

For example, punishment of up to five years’ imprisonment could be imposed for opposing, whether on social media or in public demonstrations, acts of violence, terrorism, war crimes or atrocities that have been perpetrated by any government supposedly representing people of a particular race, national or ethnic origin.

Any communication of what crimes had been committed, even if completely accurate, could be accused of being likely to

“promote” or “incite” hatred, offense, insult, humiliation or intimidation against that group, causing any supposed “reasonable” member of the group to fear for their safety.

As an example, the bill states: “Inciting antisemitic hatred against Jews in a public place where a reasonable member of the Jewish community would be intimidated or fear violence.”

But that is just an example. The provisions could apply to protests or statements against any militarist regime, such as that of Donald Trump, on the grounds of offending its citizens.

It is “immaterial” if the conduct does not result in any hatred. The proposed offence requires that the accused person “intends” to do so, but the bill’s explanatory memorandum says this extends to where the person does not personally want such hatred to occur but “is aware that this will occur in the ordinary course of events.”

The explanatory memorandum says “promote” hatred is intended to mean conduct that encourages, advocates or endorses hatred, even if it does not directly urge others to act. Promotion, it says, would include normalising or legitimising hateful attitudes.

Nor is it a defence that a statement is true. There is a defence if a person “publishes in good faith a report or commentary about a matter of public interest.” This might shield the capitalist media but is unlikely to protect others, even people discussing such events on social media.

In a media commentary, emeritus professor Anne Twomey, a constitutional law expert, noted that there would be no artistic defence for displaying a painting, such as Picasso’s “Guernica”—depicting the horror of Franco’s military-fascist regime in Spain—if it were deemed to promote hatred against members or supporters of Franco’s dictatorship.

Labor’s bill defines “hate crimes” in sweeping terms. For example, it says such offences are committed if at the time of any conduct or “threat” of conduct, or immediately before or after it, a person “demonstrated, or expressed, hostility, malice or ill-will in respect of the race, or national or ethnic origin, of the target person or the persons in the target group.”

These provisions also apply retrospectively to conduct or threats made before the legislation commences. That is, the bill explicitly provides for prosecutions for alleged actions or statements dating back to the commencement of the current Zionist genocide in October 2023, or even earlier.

The bill gives the minister in charge of the Australian Federal Police (AFP), the arbitrary power to outlaw any party or organisation as a “prohibited hate group.” The minister only needs to be “satisfied on reasonable grounds” that the group encourages, praises, promotes or has plans to engage in or advocate a “hate crime.”

No conviction of any such crime is required, nor does the minister need to observe any of the basic requirements of procedural fairness. This is, no hearing or even notice is needed, let alone an opportunity for a group or party to respond before being suddenly banned.

The minister must act on the advice of the director-general of the domestic surveillance agency, the Australian Intelligence Security Organisation (ASIO), who only has to assert that a risk exists that the group or party “may advocate for or engage in politically motivated violence, or engage in the promotion of communal

violence, in the future.”

Once a party or group is outlawed, anyone convicted of recruiting, training, donating or “materially supporting” the organisation faces up to 15 years’ imprisonment, or 10 years if they are even “reckless” as to knowing the risk they are doing so. Any member, formal or “informal” or anyone who has sought membership of the party or group, can be jailed for seven years.

These provisions widen powers, first imposed in 2002 under the banner of the “war on terrorism,” to proscribe organisations decreed to be supporters or advocates of terrorism. As the Socialist Equality Party warned in 2002, such powers set precedents for broader outlawing of political parties, defying the 1951 referendum defeat.

The bill’s criminalisation of displaying “hate symbols” showing support for a banned group—even if a person does not know the group has been proscribed—creates the conditions for the sort of mass arrests conducted by the Starmer Labour government in the UK of people holding up signs opposing the outlawing of protest group Palestine Action.

The bill also permits mass deportations or denials of visas to non-citizens whom the Home Affairs Minister merely “reasonably suspects” has, or has had, an “association” with a “prohibited hate group” or has made or endorsed statements that involve ideas of superiority or hatred based on race, colour, or national or ethnic origin. That specifically includes “antisemitic statements.”

This power is in addition to the already reactionary provisions in the Migration Act whereby the minister can refuse or revoke a visa on the claim that a person might “incite discord” in Australia.

Labor’s bill expands the surveillance powers of the police and intelligence agencies. These include powers to conduct “criminal intelligence assessments” related to “firearms background checks,” as part of a wider partial crackdown on gun ownership.

The Albanese government’s legislation deepens the attack on fundamental democratic rights initiated by the New South Wales state Labor government when it similarly rammed through laws just before Christmas that overturn the right to protest and hand extensive powers to the police to crack down on all forms of political dissent. The Greens assisted Labor by abstaining on that bill, helping it pass the state’s upper house of parliament.

This a wider Labor-led offensive. The Bondi Beach terrorist attack is being cynically exploited to not only ban anti-genocide demonstrations, but suppress mounting opposition among workers and young people to the plunge into war, social austerity, climate catastrophe and authoritarian forms of rule.



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