

20 February 2026

Ms Fran Denny  
Committee Secretary  
Justice, Integrity and Community Safety Committee

By email to: [JJCSC@parliament.qld.gov.au](mailto:JJCSC@parliament.qld.gov.au)

Dear Ms Denny

### **Question on Notice: Inquiry into the Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026 (the Bill)**

At the public hearing for the Bill, on 19 February 2026, I took on notice a question from Ms Natalie Marr MP, Member for Thuringowa on behalf of the Queensland Human Rights Commission (**the Commission**).

The question enquired about the framework for the prohibition of expressions (or slogans) and asked that the Commission elaborate on the likelihood of unintentional offending.

The Commission appreciates the opportunity to respond to the question.

The Bill proposes that before prescribing an expression as a 'prohibited expression', the Minister must be satisfied that the expression is 'widely known by the public as being solely or substantially representative of an ideology of extreme prejudice against a relevant group',<sup>1</sup> and the expression is 'regularly used to incite discrimination, hostility or violence towards a relevant group'.<sup>2</sup>

As the Commission respectfully put forward in our written submission, the proscription of expressions is more complicated than the proscription of a symbol or image. This is because language develops rapidly, and the meaning of words and expressions can change quickly.<sup>3</sup>

The Commission understands the Bill would require the Minister to consult with the Commission, the Crime and Corruption Commission, and the Police Commissioner before prescribing an expression. This consultation may not be sufficient to identify whether the expression that is proposed to be prescribed holds any legitimate meaning.

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<sup>1</sup> Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026, clause 4.

<sup>2</sup> Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026, clause 4.

<sup>3</sup> Queensland Human Rights Commission, *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026: Submission No 048*, Justice, Integrity and Community Safety Committee (Submission, 17 February 2026), 5.

As noted by Ms Marr, the Bill provides that the offence of publicly reciting, distributing, or publishing a prohibited expression will only be made out in circumstances where this is done in a 'way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended'.<sup>4</sup>

While this element goes some way to reducing concerns that a person who uses a prohibited expression in the context of legitimate debate or commentary could be captured by the offence, it is our understanding that this element would not require intent on behalf of the person using the expression. As a result, the offence may capture circumstances in which a person did not understand the phrase was prejudicial, and did not intend to offend, menace, or harass.

Because the offence will also capture the use of any expression which resembles a prohibited expression,<sup>5</sup> the risk that the offence could capture unintentional conduct may be heightened. If a person is misinterpreted, they would need to establish they had a reasonable excuse.<sup>6</sup>

The framework for assessing a law's compatibility with human rights under section 13 of the *Human Rights Act 2019* (Qld) promotes clarity, effectiveness, and consideration of less restrictive alternatives.

Noting these complexities, the Commission respectfully submitted in our written submission that consultation with community prior to the prescription of expressions may assist to identify if the expression has any multiple or contested meanings, reducing unintended impacts.<sup>7</sup>

I trust this information is of assistance.

Kind regards,



**Ms Jane Vasey**

Deputy Commissioner, Public Policy and Prevention  
Queensland Human Rights Commission

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<sup>4</sup> Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026, clause 7.

<sup>5</sup> Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026, Clause 4(6).

<sup>6</sup> Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026, clause 7.

<sup>7</sup> Queensland Human Rights Commission, *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Bill 2026: Submission No 048*, Justice, Integrity and Community Safety Committee (Submission, 17 February 2026), 6.