

DRAFT SECOND READING SPEECH

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Justice Miscellaneous (Prohibited Symbols and Places of Worship) Bill 2026

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Honourable Speaker, I move that the Bill now be read a second time.

The Justice Miscellaneous (Prohibited Symbols and Protection of Worship) Bill 2026 makes important amendments to the *Criminal Code Act 1924* and the *Police Offences Act 1935* in response to offending that seeks to harass our religious communities, promote violent ideologies or show support for terrorist organisations.

Tasmania is a diverse and inclusive state. People of many different faiths and traditions call our great state home and contribute to our communities and the rich fabric of our society. Regardless of a person's religion, beliefs or cultural background, everyone deserves to feel safe when attending a place of worship or participating in a religious gathering.

Unfortunately, recent years have seen increasing acts of intolerance towards people of faith in Australia, including through the targeting of places of worship and the public display of symbols associated with hatred, extremism and terrorism. Such conduct undermines social cohesion, causes fear within communities and is contrary to the values that Tasmanians hold dear.

In December 2024, a serious arson attack was carried out against the Adass Israel Synagogue in Melbourne. The fire caused extensive damage to the synagogue and endangered those associated with the congregation. The incident was investigated by the Joint Counter Terrorism Team, and ASIO subsequently announced that this crime had been supported by the Iranian regime through Iran's Islamic Revolutionary Guard Corps. The attack sent shockwaves through the Jewish community and served as a stark reminder that places of worship can become targets for those motivated by hatred or extremism.

In July 2025, another arson attack took place against the East Melbourne Synagogue while members of the community were gathered inside for a Shabbat meal, placing approximately 20 people at risk.

While these are among the most prolific examples of offending against places of worship, in recent years, Australia has also seen the targeted vandalism of churches, mosques and Hindu temples.

Such incidents reinforce the importance of ensuring that our laws adequately protect places of worship and, most importantly, the people who gather within them. A place of worship is more than a building. It is a place of community, belonging and spiritual significance. When such places are targeted, the harm extends well beyond the physical damage and affects the broader sense of safety and security felt by entire communities.

Speaker, while the examples I have mentioned are serious, no crime against a community of faith in Australia has been as horrendous as the terror attack on the Chanukah by the Sea festival in Bondi on 14 December 2025. That senseless act of antisemitic violence and the resulting loss of 15 innocent lives shocked everyone across Australia. It reminded us that the world is a turbulent place and that Australia must not take its relative peace and prosperity for granted, but that we must remain vigilant to extremists and the threat of hateful ideologies to our people.

I wish to reflect on the motion that this place passed on 4 March 2026 expressing our condolences to all those affected by this atrocity and condemning the violence. The motion also recognised the duty of our Government to ensure that the law shields Tasmanians from violent and evil ideologies and upholds their freedoms. I particularly refer to the final point of that motion and our Parliament's support to:

(6) Affirm every Tasmanian's fundamental right to live, work, worship and learn in peace and safety; to participate fully and freely in public life and to gather in community without fear or hindrance, proud of who they are and the contributions they make to our state and our way of life.

Honourable Speaker, while Tasmania has fortunately not experienced the serious attacks on places of worship that have occurred elsewhere in Australia, we have nevertheless seen incidents involving antisemitic graffiti, Nazi symbolism and harmful conduct directed at religious institutions. These incidents remind us that hateful ideologies are not confined by geography and that proactive protections are necessary to preserve community safety and social cohesion.

Our Government is committed to ensuring that every Tasmanian can practise their faith, participate in religious observances, and gather with their community of faith without being subjected to intimidation, harassment and interference. This Bill delivers a range of targeted and proportionate measures to achieve that aim through two major reforms.

The first major reform in this Bill relates to the protection of religious assemblies and places of worship.

The Bill repeals and replaces section 121 of the Criminal Code and introduces a new section 121A. These provisions modernise existing offences and expand the protections available to religious communities.

The new section 121 creates the new offence of disturbing a religious assembly. The provision covers the intentional disturbance of religious assemblies and the obstruction, intimidation, menacing or harassment of persons arriving, leaving or gathering in connection with a religious assembly.

Importantly, the Bill recognises that interference with religious worship may occur not only during a service or ceremony itself, but also before or after a gathering takes place. People should be able to arrive at and depart from a place of worship safely and without fear of intimidation or harassment. The Bill ensures that conduct directed at people in those circumstances is not treated less seriously than if it was directed at a gathering during the religious worship itself.

The wording of the provision makes it clear that the Bill applies where persons of faith legitimately gathering are intentionally hindered from doing so. This ensures that peaceful protests are not unduly restricted just because they occur in the vicinity of a religious assembly.

The Bill defines 'religious assembly' broadly to ensure that protections extend to worship services, as well as spiritual or religious practices, education, ceremonies, observances and celebrations. This ensures that people gathering to exercise their rights to practice religion are not left without the full protection of the law, simply because they are not gathered for what could be considered a traditional worship service. The definition also recognises that members of different faiths have different religious practices and rituals and it is important that their ability to practice these is protected.

The new section 121A creates the offence of interfering with a place of worship. This provision recognises the special significance that places of worship hold for faith communities.

The offence captures conduct such as destroying, damaging, moving, marking or otherwise defacing a place of worship. It also extends to conduct where a person deals with a place of worship in a manner or circumstances that they know, or ought reasonably to be expected to know, are likely to cause offence to a reasonable person.

The definition of place of worship is intentionally broad. It includes churches, temples, mosques, synagogues and gurdwaras, as well as other places used by religious communities for worship. It also ensures protection is available wherever worship is taking place, including temporary locations being used for that purpose. This recognises the reality that many faith groups may meet in premises that belong to other community groups or that are not primarily used as places of worship and that they should nonetheless be afforded the full protection of the law.

The Bill also introduces corresponding provisions into the Police Offences Act.

These provisions create summary offences that mirror the new criminal offences in the Criminal Code. The summary offences provide an appropriate mechanism for dealing with less serious offending while preserving the Code offences for conduct warranting prosecution as crimes. This approach ensures that our law enforcement and prosecution officers have a flexible range of responses available, depending on the seriousness and circumstances of the offending conduct.

The second major reform contained in this Bill relates to prohibited symbols.

The Bill replaces section 6C of the Police Offences Act with a significantly expanded provision prohibiting the public display of certain symbols associated with Nazism, recognised hate groups, state sponsors of terrorism and terrorist organisations.

The Bill clarifies that the new groups and organisations whose symbols are prohibited from public display are defined by reference to the Commonwealth *Criminal Code*. This ensures that Tasmanian law remains consistent with the federal position, which is informed by our national intelligence agencies.

Tasmania already has laws prohibiting the display of Nazi symbols. These provisions came into force in November 2023, making Tasmania one of the first states which legislated to prohibit the display of Nazi symbols or the performing of the Nazi salute. This Bill builds upon that framework to ensure that the law can respond appropriately to a broader range of extremist symbols that may be used to promote hatred, violence, terrorism or social division.

The Bill prohibits the public display of a prohibited symbol where a person knows, or ought to know, that the symbol is prohibited and where the display occurs without a legitimate public purpose.

Importantly, the legislation carefully balances community safety and social cohesion with fundamental freedoms, building on the existing framework that Parliament supported for the ban on Nazi symbols.

The Bill expressly protects a range of legitimate public purposes. These include genuine academic, artistic, religious, scientific, cultural, educational, legal and law-enforcement activities. The legislation also protects displays made for the purpose of opposing or demonstrating against extremist ideologies and organisations.

The Bill further protects fair and accurate reporting on matters of public interest, including by the media, and preserves the ability for prohibited symbols to be displayed where another genuine public interest purpose exists.

Importantly, the Bill maintains the provision that the display of a swastika in connection with Buddhism, Hinduism or Jainism does not constitute the display of a prohibited symbol for the purposes of the offence. This recognises the long-standing and legitimate religious and cultural significance of that symbol within those faith traditions.

The Bill also provides police with practical enforcement powers to ensure that unlawful displays can be addressed quickly and effectively. These powers are consistent with those currently available in relation to the offence of displaying a Nazi symbol.

Where a police officer reasonably believes that a prohibited symbol is being displayed unlawfully, the officer may direct the symbol to be removed from display. Where appropriate, written directions may also be issued. Additional enforcement powers are available where a person fails to comply with a direction, including powers of search and seizure in specified circumstances. The Bill also provides for the forfeiture of offending objects upon conviction.

The Bill also makes a number of consequential amendments to the Police Offences Act to support the operation of the new provisions and ensure consistency throughout the legislative framework.

Speaker, this Bill reaffirms our commitment to Tasmanians of diverse faiths and our strong belief that there is no place in Tasmania for conduct that intimidates people because they wish to practise their faith. There is no place for the desecration or interference of places of worship. There is no place for the public promotion of symbols associated with hatred, terrorism and violent extremism.

I would like to thank all those who took the time to make submissions on this Bill during the public consultation process. The Government consulted with and heard feedback from a range of religious and community stakeholders as well as the broader public. Following this consultation, some minor amendments were made to the Bill to ensure that its scope and application remain clear and appropriate.

This Bill ensures that our law appropriately responds to the types of violence, intimidation, property damage and vandalism that our country has seen far too often being directed towards our communities of faith. Our Government is committed to ensuring that all Tasmanians can freely and safely participate in religious worship and community life.

Honourable Speaker, I commend the Bill to the House.