

FACT SHEET

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

The Government is committed to strengthening existing prohibitions to fight antisemitism and other hate speech and strengthening protections for persons assembled for religious worship by criminalising specific conduct that occurs before, during and after a religious worship meeting, and enhancing protections for places of worship.

The Justice Miscellaneous (Prohibited Symbols and Protection of Worship) Bill 2026 (the Bill) delivers this reform through amendments to the *Police Offences Act 1935* and the *Criminal Code Act 1924*.

Amendments to the Police Offences Act

The amendments to the Police Offences Act will:

- Expand the existing prohibitions on Nazi symbols to include a prohibition on the public display of symbols of terrorist organisations, recognised hate groups and state sponsors of terrorism; and
- Create new offences of disturbing religious assembly and interfering with places of worship.

The proposed expanded prohibited symbols provisions replace the current section 6C of the Police Offences Act, which applies to Nazi symbols. The new prohibited symbols to be covered by these amendments are defined by reference to Commonwealth law. For example, a symbol of a recognised hate group refers to the meaning in Part 5.3B of Chapter 5 of the *Criminal Code* of the Commonwealth.

The proposed new section 6C uses the current framework of elements and safeguards for legitimate public purposes for display of symbols, which will continue to apply to Nazi symbols and are to apply to the other prohibited symbols.

While the Police Offences Act currently includes an offence against disturbing religious worship within the general offences of ‘public annoyance’ in section 13, the Bill omits that offence and establishes a new Division VIII within Part II of the Act that specifically deals with offences relating to places of worship. The new offences are the summary equivalent of the new offences that this Bill inserts into the Criminal Code.

Amendments to the Criminal Code

The Criminal Code currently includes crimes in relation to religious worship. Section 120 relates to interfering with an officiating minister (including using threats or force to obstruct or prevent the minister from officiating or performing their duties) and section 121 relates to disturbing religious worship. The general maximum penalty for Criminal Code offences is imprisonment for a term of 21 years.

The proposed amendments will repeal the current section 121 and create 2 new crimes of disturbing religious assembly and interfering with a place of worship. These new crimes include prohibitions on conduct such as intentionally intimidating people arriving at, leaving from or gathering at a place of religious assembly, and defacing or otherwise interfering with places of worship.