

MEASURES TO COMBAT RIGHT-WING EXTREMISM IN NEW SOUTH WALES

Organisation: Executive Council of Australian Jewry

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11 February 2026

Legislative Assembly
Committee on Law and Safety
Parliament of New South Wales
Macquarie Street
Sydney NSW 2000

Email: lawsafety@parliament.nsw.gov.au

Dear Legislative Assembly

Executive Council of Australian Jewry's submission to the Committee on Law and Safety's 'Measures to combat right-wing extremism in New South Wales'

Thank you for the opportunity to make a submission to the 'Measures to combat right-wing extremism in New South Wales' review (**the Review**). The Executive Council of Australian Jewry (**the ECAJ**) is the peak, elected, representative body of the Australian Jewish community. It was established for that purpose in 1944 by Australian Jewish organisations and their elected leaders. The ECAJ's constituent organisations are the roof bodies of the Jewish community in each State and Territory.¹ Other Jewish organisations which operate nationally are Affiliates of the ECAJ.² Altogether, the ECAJ's constituent and affiliated organisations, and their respective constituent and affiliated organisations, number approximately 200 major Jewish organisations across Australia. Collectively, we find ourselves in a shifting domestic landscape characterised by the growth in strength, complexity and threat of extremist groups. These extremist groups are not confined to the far right, as the antisemitic massacre at Bondi Beach on 14 December 2027 painfully highlights. In fact, there is a convergence and coalescence of extremist groups, insofar as they oppose democratic values, support authoritarianism, and frequently propagate antisemitic and conspiratorial theories.

¹ Namely, the NSW Jewish Board of Deputies, the Jewish Community Council of Victoria Inc, the Jewish Community Council of Western Australia Inc, the Queensland Jewish Board of Deputies, the Jewish Community Council of South Australia, the Hobart Hebrew Congregation, the ACT Jewish Community Inc and the Northern Territory Jewish Community Association.

² Namely, Australasian Union of Jewish Students, Union for Progressive Judaism, Australian Federation of WIZO, Maccabi Australia Inc, National Council of Jewish Women of Australia, B'nai B'rith District 21 of Australia and New Zealand, Jewish National Fund of Australia Inc, Joint Distribution Committee Australia.



Introduction

The ECAJ's *Report on Anti-Jewish Incidents in Australia 2025* noted that anti-Jewish racism has left the fringes of society and is prevalent on both the left and right ends of the political spectrum, often converging.³ Some of these groups, and lone actors who identify with their various extremist ideologies, pose a direct threat to the Australian Jewish community because they promote hatred of it. Others pose a more oblique or indirect threat, in that they seek to undermine democracy and human rights, and, with it, the protection of the rights of minorities.

Although the ECAJ is a national organisation, any measures to combat right-wing or other types of extremism and changes to the existing offences and powers in New South Wales or in other states and territories, may have significant implications for the rights and security of their respective Jewish communities and may shape the direction of measures or legislative reform at the Federal level. We therefore encourage the NSW Government to look to international best practice in this area, and to developments at the Commonwealth level, and in other state jurisdictions, as well as to previous reviews on extremism, in order to ensure that any approach it adopts with respect to combatting right-wing extremism achieves its purpose. We also encourage the NSW Government to consider the full spectrum of extremist groups in any follow-up work to the Review.

This submission addresses each Term of Reference of the Inquiry and is informed by ECAJ's prior submissions to NSW and Commonwealth legislative processes, academic research, and international best practice. ECAJ submits that effective responses must combine constitutionally sound legislation and policy, operationally effective enforcement tools, early intervention with a heavy emphasis on education, and community-based prevention.

1. *Crimes and Summary Offences Amendment Bill 2025* – Constitutional Aspects

(a) Analysis of the *Crimes and Summary Offences Amendment Bill 2025*

ECAJ supports legislative reform to address extremist conduct, including public intimidation, extremist symbolism, and propaganda, irrespective of whether it is characterised as 'right-wing' or not. Such measures – provided they are proportionate and strike the right balance in protecting constitutional freedoms - are necessary to protect

³ Nathan, Julie, ECAJ Report on Anti-Jewish Incidents in Australia, December 2025, available at: <https://www.ecaj.org.au/document/special-report-anti-jewish-incidents-in-australia-2025/>



public order, community safety, and the equal participation of all members of the community in public life.

As the conduct of the National Socialist Network (NSN) on 8 November 2025 on the steps of the NSW State Parliament demonstrated, extremism has become increasingly normalised in our society and extremist organisations seek to ostensibly hijack places of political significance to platform racist and violent ideologies. The rally of the NSN had a chilling impact on the Australian Jewish community and sent a powerful message that even our State Parliaments are not safe from extremists. A similarly alarming scene had taken place at the Victorian State Parliament on 20 December 2024, when a group of around 20 masked men held up a sign stating ‘Jews hate freedom’.⁴ For the Australian Jewish community, it matters not whether the motivation for such conduct is characterised as right-wing, left-wing, hybrid, religiously motivated or driven by other ideological or political motivations. From our community’s perspective, the most intimidating rally in recent times was the 9 October 2023 unauthorised march organised by Palestine Action Group, which commenced at Town Hall and concluded at the Opera House, where flares were ignited and a loud, visibly excited and aggressive group of people burnt an Israeli flag while chanting phrases including “F_ck the Jews” and “where’s the jews”; phrases and behaviour that have caused fear in the Jewish community. The ECAJ gave evidence before the Supreme Court of NSW of the impact of this rally in the case of *Commissioner of Police v Amal Nasser* 2025/00380924.⁵

As the above examples of extremist activism highlight, many extremist activities - such as coordinated propaganda displays, the public glorification of extremist ideology, or the use of extremist slogans intended to intimidate - may fall between existing offences or require complex evidentiary thresholds that limit early intervention. This has led to an enforcement gap where harmful conduct persists without effective legal response. As we noted in our submission to the Inquiry into matters relating to extremist movements and radicalism in Australia, dated 12 February 2021:

“This is not the ‘banality of evil’ described by political theorist Hannah Arendt in her famous written portrayal of Adolf Eichmann, one of the principal implementers of the Nazi genocide against the Jewish people during World War II. It might more accurately be described as the ‘banalisation’ of evil, making evil seem harmless,

⁴ ‘Police continue to try to identify all men involved in anti-Semitic gathering at Victorian parliament’, *ABC News*, 22 December 2024, available at: [Police continue to try to identify all men involved in anti-Semitic gathering at Victorian parliament - ABC News](#)

⁵ That evidence was accepted by the Court without challenge.

even mundane. In the long-term, the effect is calculated to desensitise the wider community to hate behaviour, and then to acquiesce in it.

The public display of such symbols with impunity also impacts on the sense of safety and security of all Australians, including those who are members of groups and communities which have historically been the targets of Nazi policies of genocide, mass murder and other forms of persecution, such as Jews, Roma people and LGBTIQ people.”⁶

It is therefore the ECAJ’s view that in order to be effective in addressing extremism, any legislative reform must squarely address the harmful conduct in question.

Notwithstanding the limitations of legislation that seeks to focus solely on Nazi-aligned behaviours, the ECAJ is supportive of the legislation given its potential to address some manifestations of antisemitic extremist conduct. We would recommend the following steps to tighten the proposed ‘engaging in conduct that indicates support for Nazi ideology’⁷ offence:

1. Removing the ‘reasonable person test’: as the provision is currently constructed, it is necessary for the prosecution to prove that the offending conduct “*would cause a reasonable person to fear harassment, intimidation or violence or for the person’s safety.*” This requirement goes beyond what is stipulated in Article 4 of the International Convention for the Elimination of All Forms of Racial Discrimination⁸, on which the offence is based. Guilt or innocence should be decided solely on the basis of the conduct of the offender; the impact on the victim should be relevant only in determining the sentence.
2. Widening the fault element: the proposed offence does not cover instances where a person recklessly engages in the offending conduct. Past experience has shown that requiring proof of intention beyond reasonable doubt is likely to be setting the bar too high. Widening the fault element to include recklessness would better align with the recent approach, taken at Commonwealth level, with

⁶ Please refer to the submission, available at: <https://www.ecaj.org.au/inquiry-into-matters-relating-to-extremist-movements-and-radicalism-in-australia/>

⁷ *Crimes and Summary Offences Amendment Bill 2025* (NSW), Schedule 1, Item 2, s 93ZA(3),(4).

⁸ [International Convention on the Elimination of All Forms of Racial Discrimination | OHCHR](#)

respect to the offence of display of prohibited Nazi symbols and other prohibited organisation symbols.⁹

There are other aspects of the proposed legislative reform that require fine-tuning to ensure that the legislation is practical and addresses extremist conduct appropriately. Section 93ZA(8) will grant the police the power to direct an individual to remove from display a suspected Nazi symbol, where the officer reasonably suspects a person is committing the offence of displaying Nazi symbols or otherwise engaging in conduct supporting Nazi ideology.¹⁰ This meets a real need for our community to have a rapid response so as to ensure that the conduct in question is not normalised. This provision should encompass a power to seize the Nazi symbol that is being displayed, in the event that the offender does not comply with the police direction.

The ECAJ also supports another practical aspect of the proposed legislation, which would enable police, in specific circumstances, to use their powers to require disclosure of a person's identity.¹¹ This addresses a common shortcoming in law enforcement that our community has experienced; namely, that all too often those engaging in such conduct have not been arrested at the time, and law enforcement has been unable to identify them from footage provided subsequently.

We commend the NSW Government for responding to the decision in *Commissioner of Police v Amal Nasser 2025/00380924* through the proposed section 24 of the Summary Offences Act 1988 with the clarifying provision that a person participating in an authorised assembly held substantially in accordance with particulars furnished under section 23(1)(c), or particulars as amended by agreement, may still be guilty of another offence, including an offence related to the purpose of the assembly. This will also helpfully address the frequently occurring issue of unlawful conduct that occurs at an authorised assembly.

The ECAJ wishes to draw to the attention of the Review the following submissions made in previous parliamentary inquiries that have specific relevance to the current legislative reform that this Review is considering:

⁹ [Criminal Code \(Cth\)](#), ss 80.2H.

¹⁰ [Crimes and Summary Offences Amendment Bill 2025](#) (NSW), Schedule 1, Item 2, s 93ZA(8)-(9); Parliament of New South Wales, Legislative Assembly Hansard, [Second Reading Speech](#) to *Crimes and Summary Offences Amendment Bill 2025*, 19 November 2025 (The Hon Michael Daley – Attorney General).

¹¹ See Overview (b) of the Explanatory Note to the Crimes and Summary Offences Amendment Bill 2025 (NSW)

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| <ul style="list-style-type: none"> Submission¹² to the Inquiry into matters relating to extremist movements and radicalism in Australia - 12 February 2021 |
| <ul style="list-style-type: none"> Submission¹³ to the Senate Legal and Constitutional Affairs Legislation Committee's Inquiry into the <i>Criminal Code Amendment (Hate Crimes) Bill 2024</i> – 29 October 2024 |
| <ul style="list-style-type: none"> <i>Combatting Antisemitism, Hate and Extremism Bill 2026</i> submission¹⁴ – 15 January 2026 |
| <ul style="list-style-type: none"> Submission¹⁵ on NSW measures to prohibit slogans that incite hatred – 16 January 2026 |
| <ul style="list-style-type: none"> Submission¹⁶ to the Review of criminal law protections against the incitement of hatred following the introduction of the <i>Crimes Amendment (Inciting Racial Hatred) Act 2025</i> (Inciting Racial Hatred Act) (the Sackar Review). |

The ECAJ has long advocated for a 'promotion of hatred' offence, which we believe is essential for addressing hateful extremist conduct that targets communities with protected attributes.

Finally, the ECAJ notes the need for timely guidance and training to law enforcement to ensure that they are appropriately equipped to enforce the new law. This will necessarily entail an explanation of the various Nazi symbols and conduct that constitutes support for Nazi ideology. The ECAJ's Annual Antisemitism Reports¹⁷ contain up to date lists of antisemitic codes and terms, and Nazi symbols and gestures. As the antisemitic massacre at Bondi Beach on 14 December 2025 highlights, clear referral and information-sharing pathways between NSW and Commonwealth agencies are also essential.

(b) Constitutional aspects

The principal constitutional consideration is the implied freedom of political communication. That freedom does not confer a personal right to engage in harmful or intimidatory conduct, nor does it protect expression that functions to silence or exclude others from civic participation. Australian courts have repeatedly recognised that legislation

¹² <https://www.ecaj.org.au/inquiry-into-matters-relating-to-extremist-movements-and-radicalism-in-australia/>

¹³ [ECAJ calls for new Federal offence of serious vilification - ECAJ](#)

¹⁴ <https://www.ecaj.org.au/category/our-work/submission/>

¹⁵ <https://www.ecaj.org.au/category/our-work/submission/>

¹⁶ <https://www.ecaj.org.au/wordpress/wp-content/uploads/ECAJ-Submission-Combatting-Antisemitism-Hate-and-Extremism-Bill-15.1.2026.pdf>

¹⁷ [Antisemitism report - ECAJ](#)

may burden communication where it serves a legitimate purpose compatible with representative government and does so proportionately.

Comparable legislation overseas illustrates how extremist-symbol prohibitions can be framed consistently with democratic constitutional norms. Germany's Criminal Code (Strafgesetzbuch), for example, prohibits the use of symbols of unconstitutional organisations, including Nazi symbols. These provisions have been upheld for decades as compatible with Germany's Basic Law because they are directed to preventing intimidation, the revival of totalitarian movements, and the erosion of democratic order.

In the NSW context, constitutional durability is strengthened where legislation includes clear definitions and a contextual assessment of meaning. Addressing the display of Nazi symbols, gestures and conduct supporting Nazi ideology – given that such ideology promotes hatred, violence, and elimination of the Jewish people - through reasonable and proportionate laws, would appear to be compatible with the implied freedom of political communication in the Australian Constitution. The proposed legislation targeting extremist conduct will help operate as an early intervention mechanism, reducing escalation into other types of conduct that meets terrorism thresholds.

2. Measures to Combat Right-Wing Extremism in New South Wales

a) Threat posed by right-wing extremist movements and organisations

Right-wing extremism (and, as mentioned above, all other forms of extremism, whether ideologically, religiously or politically motivated) poses a sustained and evolving threat in New South Wales. It encompasses neo-Nazi, white supremacist, ethno-nationalist, and accelerationist ideologies that reject democratic values, promote racial or religious hierarchy, and increasingly advocate or legitimise violence. Jewish Australians are uniquely and disproportionately targeted by these movements, not incidentally but as a core organising feature of such extremist ideology.

Right-wing extremist movements in New South Wales operate through decentralised networks rather than formal hierarchies, making them resilient to disruption. Groups and individuals frequently use online platforms, encrypted messaging services, and social media to disseminate propaganda, glorify violence, and identify potential recruits. Antisemitism is central to many right-wing extremist ideologies. Jews are portrayed as existential enemies responsible for social decline, demographic change, or global

conspiracy. This framing is evident in propaganda, slogans, and symbols used by neo-Nazi groups and has been directly linked internationally to attacks on synagogues and Jewish institutions. In a public statement on 24 February 2020, Mike Burgess, the Director-General of the Australian Security Intelligence Organisation (ASIO), announced that although Islamist or jihadi groups and individuals remain the principal source of potential acts of violent extremism in Australia, the threat posed by white supremacists has increased dramatically since 2016.¹⁸ In the 2025 annual threat assessment, and again during a Senate Estimates hearing on 25 February 2025, Mike Burgess stated:

“In terms of threats to life, [antisemitism is] my agency’s number one priority because of the weight of incidents we’re seeing play out in this country. I don’t believe we’ve done that in our history, certainly not in my six years as director general... It’s the volume of incidents that we are dealing with.”¹⁹

The impact on targeted communities extends beyond physical violence to psychological intimidation and marginalisation. Persistent threats, vandalism, and public displays of extremist symbolism create a climate of fear, restrict freedom of movement, and undermine confidence in public institutions. For individuals targeted for recruitment, extremist movements exploit grievance, isolation, and identity crises, particularly among young men.

We wish to bring to the attention of the Review the ECAJ’s recent submission on the *Combating Antisemitism, Hate and Extremism Bill 2026*²⁰, which addresses the threat posed to the Australian Jewish community, and Australian society as a whole, by extremist movements. We have also supported practical measures in a range of areas, including with respect to online safety, in order to address the thriving climate of online hate that acts as an echo chamber for extremists.

b) Australian and international examples of best practice

International experience demonstrates that effective responses to right-wing extremism are multi-layered and sustained. Overall, we believe that legislation banning the public display of hate symbols and empowering the police to remove and confiscate hate paraphernalia would be a useful tool in countering the proliferation of extremist ideologies, including those

¹⁸ Andrew Greene, ‘Neo-Nazis among Australia’s most challenging security threats, ASIO boss Mike Burgess warns’, *ABC News*, 24 February 2020

¹⁹ Moore, Hannah, ‘ASIO boss Mike Burgess declares antisemitism agency’s top priority in terms of threats to life’, *News.com.au*, 26 February 2025, available at: <https://www.news.com.au/national/politics/asio-boss-mike-burgess-declares-antisemitism-agencys-top-priority-in-terms-of-threats-to-life/news-story/f3587554ecbeb9f36e4759976fa0b997>

²⁰ <https://www.ecaj.org.au/category/our-work/submission/>

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characterised as ‘right-wing’, but it would only scratch the surface of the problem. In our view, such legislation would not obviate the need for a much more systematic, whole-of-government approach to address this problem, both through broader legislation (please refer to our analysis in section 1 above) and, most especially, through education. As such, in addition to the initiatives set out in this section, the ECAJ supports the recommendations set out in the *Special Envoy’s Plan to Combat Antisemitism*, including the digital governance and online regulation recommendations, and those characterised as general community education about antisemitism and cohesion-building.²¹

Germany provides a frequently cited example of best practice. In addition to criminal prohibitions on Nazi symbols²², Germany funds extensive exit and disengagement programs such as EXIT-Deutschland²³, which offers counselling, mentoring, and practical support to individuals leaving extremist movements. Evaluations indicate that such programs reduce recidivism and disrupt recruitment pipelines.

The Nordic countries have similarly invested in early-intervention and disengagement initiatives. Denmark’s Aarhus Model²⁴ brings together police, social services, schools, and mental health professionals to identify individuals at risk of radicalisation and provide tailored support. While originally developed in response to jihadist extremism, the model has been adapted to address right-wing extremism and is widely regarded as an example of effective multi-agency cooperation.

In the United Kingdom, organisations such as HOPE not hate complement government frameworks by delivering community-based interventions. HOPE not hate’s work combines local intelligence, education, and support for communities affected by far-right activity. Its community grants program funds grassroots initiatives that build resilience and challenge extremist narratives at a local level.²⁵

In the United States, the Anti-Defamation League’s Center on Extremism provides detailed tracking of extremist movements, training for law enforcement, and policy recommendations focused on prevention and early intervention.²⁶ ADL’s data-driven

²¹ Please refer to the Special Envoy’s Plan to Combat Antisemitism, dated 10 July 2025, available at: <https://www.ascca.gov.au/sites/default/files/2025-07/2025-ascca-plan.pdf>

²² German Criminal Code (Strafgesetzbuch), section 86a – Use of Symbols of Unconstitutional Organisations, Federal Republic of Germany, consolidated text, available at: https://www.gesetze-im-internet.de/englisch_stgb/.

²³ EXIT-Deutschland, available at <https://www.exit-deutschland.de/english/>

²⁴ Aarhus Model, available at: https://home-affairs.ec.europa.eu/networks/radicalisation-awareness-network-ran/collection-inspiring-practices/ran-practices/aarhus-model-prevention-radicalisation-and-discrimination-aarhus_en

²⁵ HOPE not Hate, available at: <https://hopenothate.org.uk/>

²⁶ Anti-Defamation League’s Center on Extremism, available at: <https://www.adl.org/research-centers/center-on-extremism>

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approach illustrates the importance of allocating resources proportionate to threat and lethality.

World Jewish Congress research demonstrates the link between online antisemitism and offline violence. Its report 'From Virtual Vortex to Real-Life Violence' documents how extremist narratives migrate across platforms and how online harassment can escalate into real-world attacks, underscoring the need for coordinated responses to digital ecosystems.²⁷

c) Methods and practices the Government might adopt

i. Community building programs

Community resilience programs are a cornerstone of prevention. International experience shows that communities equipped with resources, education, and local networks are better able to resist extremist infiltration. HOPE not hate's community model demonstrates how local partnerships can identify early warning signs and respond before escalation occurs.

Education initiatives should address not only historical antisemitism and racism, but also contemporary extremist tactics, including online recruitment strategies. Programs targeting young people, particularly young men, are critical given evidence that identity and masculinity narratives play a significant role in radicalisation. Organisations such as UNESCO have developed educational resources that help education-policy makers plan and implement effective and appropriate education-related actions, contributing to national preventing violent extremism (PVE) efforts, both in formal and non-formal settings, and at different levels (secondary, technical and vocational training, higher education). This work includes also supporting teachers in managing classroom discussions in relation to PVE and radicalization and creating a classroom climate that is inclusive and conducive to respectful dialogue, open discussion and critical thinking.²⁸

The shocking racist bullying of Jewish children at public schools in Victoria in 2019, which included a serious assault and the harassment of a child as young as 5 years old²⁹, together with similar but less well-publicised incidents in public and private schools around the

²⁷ Please refer to <https://www.worldjewishcongress.org/en/news/project-bridges-building-resilience-dialogue-governance-against-antisemitism-europe>

²⁸ <https://www.unesco.org/en/articles/what-you-need-know-about-preventing-violent-extremism-through-education?hub=388>

²⁹ Adam Carey, 'Jewish boys taunted in shocking cases of antisemitic bullying at Melbourne schools', *The Age*, 3 October 2019.

country³⁰, have demonstrated how pervasive antisemitic tropes and racial hatred have been, and highlighted the destructive nexus between racist and other prejudiced attitudes and language, and acts of violence, even in young children. Inoculation of students against prejudice and extremism thus needs to begin in early primary school.

Most educators currently seek to inculcate critical thinking and educate against prejudice generally, but we believe that a critical part of the message will be lost unless anti-Jewish, anti-Indigenous, anti-Muslim and anti-Asian prejudice and other commonly-encountered forms of prejudice are expressly addressed. Generic human rights and citizenship education are not sufficient. The focus needs to be on identifying and counter-acting specific forms of racism and bigotry, and equipping students from an early age with the intellectual and ethical tools to reject them, with the aim of preventing younger people from embarking on a pathway to extremism. In our recent submission to the National Anti-Bullying Review³¹, we set out several recommendations that specifically address the area of early prevention. The ECAJ also supports the initiatives in this area led by Australia's Special Envoy to Combat Antisemitism.

ii. Deradicalisation and disengagement programs

Disengagement programs such as EXIT-Deutschland and the Aarhus Model illustrate the value of combining psychological support with practical assistance. These programs recognise that ideology is often intertwined with social networks, personal identity, and emotional needs. As such, a layered strategy is required, with earlier emphasis on disengagement from violence and extremist groups.

Academic research by Josh Roose highlights that right-wing extremism frequently exploits narratives of grievance, humiliation, and threatened masculinity.³² Effective programs therefore address emotional drivers alongside ideological content. NSW should draw on these insights in designing evidence-based deradicalisation initiatives. Such programs need to be realistic and achievable, recognising that shifting ideology is incredibly challenging, whereas, reducing violence may be more achievable.³³

³⁰ <https://www.ecaj.org.au/document/national-anti-bullying-review-submission/>

³¹ <https://www.ecaj.org.au/document/national-anti-bullying-review-submission/>

³² Roose, Josh, Countering Right-Wing Extremism in Australia: Key Challenges and the Role of Masculinity, Counter Terrorist Trends and Analyses, RSIS, 2024, available at: <https://rsis.edu.sg/ctta-newsarticle/countering-right-wing-extremism-in-australia-key-challenges-and-the-role-of-masculinity/>; and Josh Roose, Michael Flood et al., Masculinity and Violent Extremism, Palgrave Macmillan, 2022, available at: https://dro.deakin.edu.au/articles/book/Masculinity_and_Violent_Extremism/20585895.

³³ Michael Jensen, Patrick James, and Elizabeth Yates, 'Contextualising Disengagement: How Exit Barriers Shape the Pathways out of Far-Right Extremism in the United States', 46(3) *Studies in Conflict & Terrorism*, 2023

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Custodial settings are important in efforts to deradicalize and disengage, particularly because they are often the location of recruitment activities that may be further radicalising individuals. Therefore, it is necessary to ensure that there is appropriate and targeted education in custodial facilities, and that there are ways to promote reintegration and disengagement.

Other processes such as restorative justice can also be effective in helping individuals to accept accountability and to disengage. In our experience, the simple humanising dialogue and conduct that the ECAJ has had with perpetrators of antisemitic crimes can give them new insights and shift their perceptions.

iii. Other mechanisms

Law enforcement, proscription and disruption

Specialist law enforcement capability is essential. In the United Kingdom and Germany, specialist police units monitor extremist networks, collect intelligence, and work closely with prosecutors. Clear guidance on the enforcement of hate and extremist public acts reduces inconsistency and enhances public confidence. Improved data collection and transparency are also critical. Jurisdictions that systematically track extremist incidents are better able to allocate resources, evaluate interventions, and adjust policy settings over time.

We also note that the recently enacted approach at Commonwealth-level to create a second-tier listing of ‘prohibited hate groups’ is a welcome intervention that we hope will disrupt and destroy those organisations engaging in extremist conduct. While proscription is not, in itself, the solution to extremism, it is a meaningful and necessary aspect of marginalising extremism. In the ECAJ submission *Combating Antisemitism, Hate and Extremism Bill 2026*³⁴, we highlight various ways that legislation might effectively disrupt and target extremist organisations and those involved in their activities.

Online hate

The online environment plays a central role in contemporary right-wing (and other forms of) extremism. Extremist movements increasingly rely on digital platforms to disseminate propaganda, normalise hateful narratives, and recruit supporters. Algorithmic

³⁴ <https://www.ecaj.org.au/category/our-work/submission/>

recommendation systems can amplify polarising content by prioritising engagement, inadvertently accelerating radicalisation.

Research demonstrates that individuals are often exposed to increasingly extreme material through recommendation pathways, moving from mainstream content to overtly extremist narratives over time. This process is particularly significant for young users who may lack critical media literacy. On platforms such as Telegram, X and Gab, far-right social media groups publish posts claiming “Jews hate freedom”³⁵. On the far left, there are frequent “false flag” allegations, and conspiracy theories.³⁶

Encrypted messaging services and alternative platforms further complicate enforcement by enabling closed networks that are difficult to monitor. International research, including World Jewish Congress analysis, has shown how antisemitic harassment campaigns can migrate across platforms and escalate into real-world violence.

NSW responses must therefore integrate with Commonwealth online safety and counter-terrorism frameworks. This includes support for platform accountability, data-sharing arrangements, and specialist law enforcement capability to understand digital ecosystems. Education and prevention efforts should also address online recruitment tactics and misinformation.

The ECAJ and the Office of the Special Envoy to Combat Antisemitism have recommended addressing the amplified impact of hatred and violence in the online arena through the introduction of a specific power for a court to make a final or interim order for the removal of online content alleged to constitute an offence under Division 80, Subdivision C and CA of the Criminal Code (Cth), relevant carriage service offences, and other relevant offences. The purpose of this reform is to stem the dissemination of hatred and violence in the online arena. The ECAJ has also previously recommended a host of other reforms in this area including the creation of new algorithms regulation legislation as a national security counter foreign interference priority to protect Australian cognitive sovereignty. We note that the UK Central Data and Digital Office (CCDO) has developed the Algorithmic Transparency Standard, a recording standard that helps public sector bodies provide clear information about the algorithmic tools they use and why they are using them. The Standard is one of the world’s first policies for transparency on the use of algorithmic tools in government decision making and is internationally renowned as best practice. The EU DSA includes data

³⁵ <https://ohpi.org.au/extremists-antisemitic-rally/>

³⁶ See, for example, this blog, in which it is alleged that the Special Envoy to Combat Antisemitism, intends to undermine free speech

access obligation and transparency measures for major digital platforms, which extends to the algorithms used for recommending content or products to users.³⁷

A subset of algorithmic regulation is the regulation of Artificial Intelligence (AI). The Blueprint Institute Report³⁸ explains that the advent and growth of AI technologies have made it cheaper and easier to create and disseminate persuasive disinformation at scale, with the detrimental effect that racist narratives become more widespread and convincing.

The ECAJ has favoured the approach taken by the EU, which bans harmful AI use and sets strict rules for high-risk systems. Disinformation should be caught ‘upstream’, and AI tools must be developed through public funding that are capable of improving the overall quality of information and debate in the media ecosystem.³⁹ This can be combined with other interventions such as mandated labelling of AI-generated content (Californian approach). We are opposed to the structural imbalance and the unequal burden imposed on marginalised groups through community content moderation systems that utilise unpaid input to monitor and correct content with no guarantee that the communities’ input will be taken into account.⁴⁰ Although the ECAJ has put forward several possible interventions to address the proliferation of extremist content online, we believe that any approach to this issue must be national and coordinated across all states. Online extremist content does not respect geographical boundaries.

d) Existing offences and powers in NSW and Commonwealth legislation

New South Wales law already contains offences relating to threats, intimidation, harassment, and public order. At the Commonwealth level, terrorism offences address the most serious conduct. However, international experience shows that waiting until conduct meets terrorism thresholds can allow extremist ecosystems to entrench.

Germany’s approach demonstrates the value of intervening earlier through offences targeting extremist symbols and organisations, complemented by strong prevention

³⁷ eSafety, Submission 2, p. 9.

³⁸ Downey, Liana; Ouliaris, Mark; Poulton, Claire; Black, Sophie; An Tran, Minh, ‘Antisemitism in Australian Schools’, Blueprint Institute, 27 February 2024, available at: An examination of antisemitism in Australian schools,

³⁹ Pillati, Federico and Venturini, Tommaso, ‘The use of artificial intelligence in counter-disinformation: a world wide (web) mapping’, Front. Polit. Sci., 07 February 2025, Sec. Politics of Technology, Volume 7 - 2025 | <https://doi.org/10.3389/fpos.2025.1517726>

⁴⁰ Yfat Barak-Cheney, ‘On a Different Note: What Community Notes Mean for Content Moderation — and for Jewish Communities’, 8 August 2025, available at: [On a Different Note: What Community Notes Mean for Content Moderation — and for Jewish Communities - World Jewish Congress](#)

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of Australia

programs. NSW reforms should similarly focus on early disruption and prevention, operating alongside Commonwealth powers. In section 1 above, we have provided an analysis of proposed legislation and how it might best address shortcomings and gaps in existing legal frameworks. However, we draw the Review's attention to the ECAJ's past submissions with respect to hate speech, proscribed hate organisations, and hate symbols. A brief outline of the most relevant ECAJ submissions from the previous two years is provided here:

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| <ul style="list-style-type: none"> Submission⁴¹ banning the public display of Nazi symbols and gesture – 20 April 2023 |
| <ul style="list-style-type: none"> Submission⁴² to the Parliamentary Joint Committee on Intelligence and Security concerning its review of the Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Bill 2023 – 21 July 2023 |
| <ul style="list-style-type: none"> Submission⁴³ to the Online Safety Act – 21 June 2024 |
| <ul style="list-style-type: none"> Submission⁴⁴ to the Senate Legal and Constitutional Affairs Legislation Committee's Inquiry into the <i>Criminal Code Amendment (Hate Crimes) Bill 2024</i> – 29 October 2024 |
| <ul style="list-style-type: none"> Submission⁴⁵ to the Department of Education's National Anti-Bullying Review – 20 June 2025 |
| <ul style="list-style-type: none"> Submission⁴⁶ to the Review of criminal law protections against the incitement of hatred following the introduction of the <i>Crimes Amendment (Inciting Racial Hatred) Act 2025</i> (Inciting Racial Hatred Act) (the Sackar Review). |
| <ul style="list-style-type: none"> Submission⁴⁷ to NSW Law Reform Commission Anti-Discrimination Act Review – 22 August 2025 |
| <ul style="list-style-type: none"> Submission⁴⁸ to the Independent National Security Legislation Monitor about the definition of 'terrorist act' under section 100.1 of the Criminal Code Act 1995 (Cth) (Criminal Code) – 30 October 2025 |
| <ul style="list-style-type: none"> Combatting Antisemitism, Hate and Extremism Bill 2026 submission⁴⁹ – 15 January 2026 |

⁴¹ <https://www.ecaj.org.au/ecaj-submission-banning-the-public-display-of-nazi-symbols-and-gesture/>

⁴² <https://www.ecaj.org.au/ecaj-submission-to-parliamentary-joint-committee-on-intelligence-and-security-review-of-the-counter-terrorism-legislation-amendment-prohibited-hate-symbols-and-other-measures-bill-2023/>

⁴³ [ECAJ submission to Online Safety Act review 2024 - ECAJ](#) – this submission covered the prevalence of online antisemitic hate speech

⁴⁴ [ECAJ calls for new Federal offence of serious vilification - ECAJ](#)

⁴⁵ <https://www.ecaj.org.au/document/national-anti-bullying-review-submission/>. Please note that this submission explored issues of unchecked antisemitism in the education system and the failure of legislation or policy to adequately address this. In the final report there was no express mention of the issue of antisemitic bullying despite its prevalence.

⁴⁶ This is not yet publicly available.

⁴⁷ [Letter to Anti-Discrimination Act 1977 \(NSW\) review - ECAJ](#)

⁴⁸ <https://www.ecaj.org.au/redefining-terrorism/>

⁴⁹ <https://www.ecaj.org.au/category/our-work/submission/>

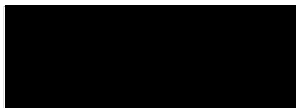
- Submission⁵⁰ on NSW measures to prohibit slogans that incite hatred – 16 January 2026

Please note that the ECAJ also made a submission in February 2021 highlighting, among other issues, the role and influence of radical and extremist groups, whose conduct to date has fallen short of the legislative threshold for proscription, in fostering social division in Australia and as a conduit to persons on a pathway to extremism.

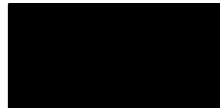
Conclusion

Right-wing extremism represents a serious and enduring threat to social cohesion and public safety in New South Wales, and, in particular, it poses a clear and present danger to the Australian Jewish community. International experience demonstrates that effective responses require a comprehensive framework combining clear legal prohibitions, specialist enforcement, prevention, and community-based resilience. Such approaches do not work when they do not recognise the underlying issue, which is the societal permissiveness and pathways for cultivation of extremism, irrespective of its political, religious or ideological anchoring. ECAJ urges the Committee to adopt a holistic approach that does not focus solely on one form of extremism, and which addresses the promotion of hatred irrespective of who is propagating it.

Yours sincerely



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Co-CEO



Simone Abel
Head of Legal

⁵⁰ <https://www.ecaj.org.au/category/our-work/submission/>