



Committee Secretary

Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs

PO Box 6021

Parliament House

Canberra ACT 2600

Email: rhvinquiry@aph.gov.au

11 May 2026

Dear Committee Secretary,

Thank you for the opportunity to make a submission to the Inquiry into racism, hate and violence directed at Aboriginal and Torres Strait Islander people (the **Inquiry**).

The Executive Council of Australian Jewry (the **ECAJ**) is the peak, elected, representative body of the Australian Jewish community. The ECAJ's constituent organisations are the roof bodies of the Jewish community in each State and territory. Through these organisations and directly, the ECAJ advocates for the human rights, safety and inclusion of Jewish people in Australia, and has a long-standing and principled commitment to combating racism, discrimination and hate in all its forms. The policy platform of the ECAJ expressly calls for sustained government and community action to support social inclusion, reconciliation and multiculturalism, and to oppose and prevent all forms of racism. These commitments arise not only from universal human rights principles, but also from the lived historical experience of the Jewish people and our collective understanding of the consequences of unchecked racism and hatred.

## Introduction

Over many years, the ECAJ has been in regular dialogue and practical partnership with Aboriginal and Torres Strait Islander individuals, organisations and communities. By way of example, the ECAJ (and/or its constituent and affiliate organisations) have:

- (a) Played a key facilitating role in initiatives involving Jewish university students spending time in the First Nations communities of Toomelah and Boggabilla in north-west New South Wales. The students assisted with grassroots community projects, preparation of claims for government grants, and the running of camps for schoolchildren. As a direct result of one

**PRESIDENT**  
Daniel Aghion KC  
**DEPUTY PRESIDENT**  
Robert M Goot AO, SC  
**IMM. PAST PRESIDENT**  
Jillian Segal AO  
**HON. TREASURER**  
Peter Wise AM  
**HON. SECRETARY**  
Anton Block AM

**CO-CEOs**  
Peter Wertheim AM  
Alex Ryvchin  
**VICE PRESIDENTS**  
David Ossip (NSW)  
Philip Zajac (VIC)  
Geoff Midalia (WA)  
Jason Steinberg (QLD)  
Annetay Henderson-Sapir (SA)  
Laurence Herst (TAS)  
Athol Morris (ACT)  
Vida Goodvach (NT)

**CONSTITUENTS**  
NSW Jewish Board of Deputies  
Jewish Community Council of Victoria  
Jewish Community Council of WA  
Queensland Jewish Board of Deputies  
Jewish Community Council of SA  
Hobart Hebrew Congregation  
ACT Jewish Community  
The Northern Territory Jewish  
Community Association

**AFFILIATES**  
Australasian Union of Jewish Students  
Australian Federation of WIZO  
Union for Progressive Judaism  
Federation of Jewish Aged Car Services  
Maccabi Australia  
National Council of Jewish Women  
B'nai B'rith of Australia/ NZ  
Jewish National Fund of Australia  
Joint Distribution Committee Australia

**OBSERVERS**  
Council of Progressive Rabbis  
Federation of Australian Jewish  
Ex-Service Associations  
New Zealand Jewish Council  
Zionist Federation of Australia  
Council of Orthodox Synagogues  
of Australia

grant application lodged during this initiative, the Federal Government awarded the First Nations community a \$50,000 grant to secure approximately one million litres of water per year;

- (b) Made a formal submission to the Attorney-General's Department in response to recommendations arising from the United Nations Human Rights Council's Universal Periodic Review of Australia's human rights record. That submission addressed, among other matters, the need for stronger and more effective legislation and education to combat racial discrimination and racial vilification, as well as the rights of First Nations Australians;
- (c) Made a detailed submission to the Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples, expressing strong support for constitutional reform that would (among other matters) recognise the distinct identities and rights of Aboriginal and Torres Strait Islander peoples arising from their prior and unique relationships with land, territories and resources;
- (d) Welcomed and actively contributed to the development of the National Anti-Racism Strategy launched in 2012 under the auspices of the Australian Human Rights Commission;
- (e) Supported and expanded anti-racism education initiatives such as the Respect, Understanding and Acceptance (RUA) program, which brought together over 1000 school students to discuss racism, prejudice and mutual respect. This program was publicly recognised as a constructive response to racist abuse;
- (f) Played a leading role, alongside First Nations and other ethnic community organisations, in opposing any weakening or repeal of section 18C of the Racial Discrimination Act. The ECAJ consistently maintained that strong protections against racial vilification are essential for the safety and dignity of Aboriginal and Torres Strait Islander peoples and all minority communities;
- (g) Participated in roundtable discussions convened by the Australian Human Rights Commission involving ethnic and Indigenous representatives, reaffirming shared commitments to defending the Racial Discrimination Act, countering hate movements, and supporting constitutional recognition and treaty discussions;
- (h) Publicly endorsed the Uluru Statement from the Heart, supported the call for a constitutionally enshrined First Nations Voice to Parliament, a Makarrata Commission, and a process of truth-telling and reconciliation, publicly supported a "Yes" vote in the Referendum on a constitutionally enshrined First Nations Voice to Parliament and encouraged prayer, reflection and dialogue across Jewish congregations during a national weekend of reflection;

- (i) Supported a petition advocating for the Yanunijarra Aboriginal Corporation’s efforts to reacquire traditional lands in Western Australia, recognising that land justice is fundamental to economic self-determination and cultural survival; and
- (j) Facilitated webinars on justice for First Nations women and training sessions focused on advocacy for Voice, Treaty and Truth.

*Table of engagement on issues of relevance to this submission*

<b>Date</b>	<b>ECAJ item</b>	<b>Relevant topics</b>
Current policy page	<a href="#">Our policies — Aboriginal Reconciliation / Anti-Racism / Online Services</a>	Calls for reconciliation, awareness of historic/social/economic disadvantage, action on health, housing, education, employment, law and justice; supports anti-vilification laws and notes internet propagation of racism. (ecaj.org.au)
5 May 2025	<a href="#">Hate Incidents in Australia Post October 7</a>	Summarises Call It Out First Nations Racism Register data: 497 registrations in 2022–23 and 453 in 2023–24; notes incident counts understate systemic/structural racism. (ecaj.org.au)
22 Aug 2024	<a href="#">Submission on Bill to establish a judicial inquiry into antisemitism at universities</a>	Acknowledges First Nations racism at universities and argues racism affecting First Nations communities and antisemitism require bespoke, dedicated study because their forms differ markedly. (ecaj.org.au)
5 Sept 2023	<a href="#">ECAJ Media Statement: The Voice Referendum</a>	Supports constitutional recognition and a First Nations Voice as an historic step towards justice and reconciliation; calls for fair, informed and dignified debate. (ecaj.org.au)
18 July 2023	<a href="#">Antisemitic conspiracy theory mars debate about the Voice</a>	Discusses extremist online discourse around the Voice and how platforms such as Twitter/X amplified hateful and vilifying content. (ecaj.org.au)
27 May 2022	<a href="#">Faith communities statement in support of Uluru Statement</a>	Supports Voice, Treaty and Truth; describes First Nations justice as unfinished national business. (ecaj.org.au)
7 July 2021	<a href="#">Submission to ACARA</a>	Recommends curriculum content on

	<a href="#">on proposed revisions to the Australian Curriculum</a>	racism/xenophobia towards First Nations and non-European communities in Federation, and broader education on hate speech, discrimination and genocide. (ecaj.org.au)
19 March 2019	<a href="#">The deadly myth of 'White Genocide'</a>	Discusses white replacement ideology, "race war" rhetoric and violence against minorities; relevant to ideologically motivated extremism, though not First Nations-specific. (ecaj.org.au)
31 July 2015	<a href="#">Joint Statement on Racism Directed at Adam Goodes</a>	Describes anti-First Nations racism in sport, its health impacts, effects on young Aboriginal and Torres Strait Islander people, and calls for sporting bodies to adopt strategies with First Nations people. (ecaj.org.au)
20 Sept 2013	<a href="#">Racism, Hate Speech and Multiculturalism</a>	Cites higher rates of racism experienced by Aboriginal and Torres Strait Islander Australians; notes hate speech, exclusion and physical attacks. (ecaj.org.au)

Please note that this table is by no means exhaustive.

The ECAJ makes this submission on the basis of:

- (a) its long-standing engagement with First Nations communities;
- (b) its consistent advocacy for First Nations rights, recognition and equality under Australian law;
- (c) its involvement in anti-racism education, community-building and legislative advocacy; and
- (d) and its direct experience of racism and hate directed at minority communities, including the ways in which such hate often manifests across communities.

In light of the above, the ECAJ submits the following ideas in response to the Inquiry.

### **1. The nature, prevalence and impact of racism, hate and violence towards First Nations people, including trends overtime**

The ECAJ recognises that racism, hate and violence directed towards Aboriginal and Torres Strait Islander peoples are not isolated phenomena, but part of a broader pattern of dehumanisation and exclusion that can become deeply embedded within a society over time. The impacts of racism, hate and violence towards First Nations people are "cumulative and

intergenerational. They include psychological harm, cultural dislocation, disengagement from institutions, and material consequences such as reduced access to services, financial hardship and diminished life outcomes”.<sup>1</sup> Given Australia has the highest percentage of Holocaust survivors per capita of any Jewish community outside of Israel, the trauma of the Holocaust runs deep in the consciousness of Australian Jews and the Jewish community is acutely aware of the echo that racism can cause to run through the generations, requiring support and initiatives that specifically address this intergenerational trauma.<sup>2</sup>

The Jewish community’s experience demonstrates that racism and hatred rarely remain confined to isolated incidents. Rather, they often evolve into broader social environments in which prejudice becomes normalised, minorities become increasingly fearful and marginalised, and trust in public institutions is progressively eroded.<sup>3</sup> The ECAJ’s experience in monitoring antisemitism over decades has shown that racism can manifest simultaneously through verbal abuse, online hate, vandalism, threats, exclusionary conduct, conspiracy narratives, intimidation and physical violence.<sup>4</sup> Many of these same dynamics are also experienced by First Nations communities. Sometimes there is an overlap in racist rhetoric (see examples in **Appendix A**).

Importantly, the prevalence of racism cannot be measured solely by incidents that are formally reported. The ECAJ’s longstanding experience with antisemitism reporting indicates that substantial underreporting occurs in relation to racist abuse and hate incidents.<sup>5</sup> Victims may fear retaliation, may lack confidence in reporting systems, may believe that nothing meaningful will result from reporting, may have become so accustomed to racist conduct that they no longer perceive reporting as worthwhile, or may elect not to report for a range of other reasons.<sup>6</sup> This dynamic is particularly acute where racism has become normalised over generations or where communities have historical reasons to distrust institutions. Accordingly, publicly recorded incidents are likely to understate the true prevalence and impact of racism directed at First Nations people. Despite this climate of underreporting, a recent study by the Australian

---

<sup>1</sup> Australian Human Rights Commission, *National Anti-Racism Framework Scoping Report*, Australian Human Rights Commission, 2021, available at: <https://humanrights.gov.au/our-work/race-discrimination/publications/national-anti-racism-framework-scoping-report>; Treaty Council Worldwide Aboriginal and Torres Strait Islander Corporation (The Treaty Council), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

<sup>2</sup> Rutland, Suzanne D., *The Jews in Australia*, Cambridge University Press, 2005, available at: <https://doi.org/10.1017/CBO9780511816925>

<sup>3</sup> Executive Council of Australian Jewry, *Racism in Australia Policy Platform*, Executive Council of Australian Jewry, undated, available at: <https://www.ecaj.org.au/about/our-policies/>

<sup>4</sup> Executive Council of Australian Jewry, *ECAJ Report on Antisemitism in Australia 2024*, Executive Council of Australian Jewry, 2025, available at: <https://www.ecaj.org.au/category/our-work/report/antisemitism-report/>

<sup>5</sup> Executive Council of Australian Jewry, *ECAJ Report on Antisemitism in Australia 2024*, Executive Council of Australian Jewry, 2025, available at: <https://www.ecaj.org.au/category/our-work/report/antisemitism-report/>

<sup>6</sup> Australian Human Rights Commission, *Racism. It Stops With Me Campaign Research*, Australian Human Rights Commission, undated, available at: <https://itstopswithme.humanrights.gov.au/>

Human Rights Commission, which surveyed more than 76,000 students across 42 Australian universities, found that Jewish respondents and First Nations respondents experienced some of the highest rates of racism of any group surveyed. The Jewish students reported experiencing racism at rates of approximately 90%, while First Nations students reported experiencing racism at rates exceeding 80%.<sup>7</sup>

The ECAJ is also conscious that racism has evolved significantly over time in both form and method of dissemination. Whereas racist abuse once occurred primarily through interpersonal interactions or organised extremist publications, online platforms now enable the rapid amplification, normalisation and dissemination of hate to extraordinarily large audiences.<sup>8</sup> The Jewish community has experienced firsthand the way in which online ecosystems can intensify prejudice, spread conspiracy narratives, encourage dehumanisation, and embolden acts of intimidation and violence offline.<sup>9</sup> Similar dynamics are increasingly affecting First Nations people, including through racist abuse on social media, coordinated harassment, vilification in public commentary, and the circulation of harmful stereotypes and misinformation.

The Jewish community's experience highlights that racism directed at one minority group rarely exists in isolation. Extremist ideologies and hate movements frequently target multiple vulnerable communities simultaneously, including Jews, Aboriginal and Torres Strait Islander peoples, migrants, LGBTQI+ people, Muslims and other minorities.<sup>10</sup> Racist narratives often share common features: the portrayal of minority groups as threats to national identity, the questioning of their legitimacy or belonging, the attribution of collective blame, and the dehumanisation of entire communities. These narratives are corrosive to social cohesion regardless of the group targeted.

The impacts of racism extend far beyond immediate emotional harm. ECAJ's experience is that persistent racism contributes to fear, hypervigilance, withdrawal from public life, disengagement from civic institutions, reduced willingness to visibly express cultural identity, and intergenerational trauma.<sup>11</sup> Parents may alter the way they raise children in response to safety concerns. Individuals may conceal aspects of their identity to avoid abuse. Communities may incur substantial financial and organisational costs associated with security, mental health

---

<sup>7</sup> "Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations people", Australian Human Rights Commission, February 2026, available at: [Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations people | Australian Human Rights Commission](#).

<sup>8</sup> Executive Council of Australian Jewry, *Anti-Racism Legislation Policy Platform*, Executive Council of Australian Jewry, undated, available at: <https://www.ecaj.org.au/about/our-policies/>

<sup>9</sup> Executive Council of Australian Jewry, *Submission to the Independent Review of the Online Safety Act 2021*, Executive Council of Australian Jewry, 2024, available at: <https://www.ecaj.org.au/category/our-work/submission/>

<sup>10</sup> Roose, Josh, *The Nexus Between Extremism and Social Cohesion in Australia*, Deakin University / Victoria University, 2023, available at: <https://www.vu.edu.au/mitchell-institute>

<sup>11</sup> Bilewicz, Michal and Vollhardt, Johanna Ray, *The Social Psychology of Collective Victimhood*, Routledge, 2017, available at: <https://doi.org/10.4324/9781315222066>

support and community protection.<sup>12</sup> These broader social and psychological consequences are often difficult to quantify but are nonetheless profound. Similar impacts are likely experienced by many First Nations individuals and communities.

The ECAJ is particularly concerned by trends indicating increasing polarisation, declining civility in public discourse, and the growing normalisation of hateful rhetoric.<sup>13</sup> History demonstrates that when racism is tolerated, minimised or excused, it can progressively escalate and become more socially acceptable.<sup>14</sup> Effective responses therefore require early intervention, strong moral leadership, public condemnation of racism, robust legal protections, accurate data collection, culturally appropriate support services, and sustained public education initiatives.

The Jewish community's experience also underscores the importance of recognising the distinct historical and cultural dimensions of different forms of racism. While there are common features shared across different manifestations of hate, responses must also acknowledge the unique histories, vulnerabilities and lived experiences of the communities affected. Generic anti-racism measures alone will not adequately address the specific forms of prejudice, trauma and exclusion experienced by First Nations peoples. Tailored and community-informed approaches are therefore essential.

The ECAJ supports efforts to better understand the nature, prevalence and impact of racism, hate and violence directed towards Aboriginal and Torres Strait Islander peoples, including the long-term and intergenerational effects of such conduct. The Jewish community's own experience demonstrates that racism is not merely a matter of offensive language or isolated misconduct. Left unaddressed, it can profoundly damage individuals, communities and the broader social fabric of a democratic and multicultural society.

## **2 The effect of online platforms on the reach, prominence and harm caused by racism and hate directed at First Nations people**

The ECAJ has been tackling online hate since the 1990s. The Federal Court judgments in the legal proceedings pursued by the ECAJ from 1996 to 2009 against the Australian-based Holocaust denial website, the Adelaide Institute, and its founder Fredrick Toben, had a significant impact on the way Australia understands and approaches the problem of online

---

<sup>12</sup> Executive Council of Australian Jewry, *ECAJ Report on Antisemitism in Australia 2024*, Executive Council of Australian Jewry, 2025, available at: <https://www.ecaj.org.au/category/our-work/report/antisemitism-report/>

<sup>13</sup> Executive Council of Australian Jewry, *Submission to the Parliamentary Joint Committee on Human Rights Inquiry into Antisemitism at Australian Universities*, Executive Council of Australian Jewry, 2024, available at: <https://www.ecaj.org.au/category/our-work/submission/>

<sup>14</sup> United Nations, *Convention on the Elimination of All Forms of Racial Discrimination General Recommendation No 35: Combating Racist Hate Speech*, United Nations Committee on the Elimination of Racial Discrimination, 2013, available at: <https://www.ohchr.org/en/treaty-bodies/cerd/general-recommendation-no35-combating-racist-hate-speech>.

safety and online hate.<sup>15</sup> For thirty-five years, the ECAJ has published annual reports on antisemitism in Australia which have also documented online antisemitic content, including the use of social media to spread hate and extremism by individuals and hate groups.<sup>16</sup>

The ECAJ's experience combating antisemitism online has demonstrated that online hate directed at one minority group rarely exists in isolation. The same digital ecosystems, algorithmic incentives, conspiracy networks, extremist communities and platform failures that facilitate antisemitism also amplify racism and hatred directed at Aboriginal and Torres Strait Islander peoples and other minority communities. The lessons learned in addressing antisemitism online are therefore directly relevant to understanding the contemporary harms experienced by First Nations peoples in digital spaces.

Online platforms have transformed the scale, speed and persistence of racist abuse. Unlike traditional forms of prejudice, online racism can be disseminated instantaneously to mass audiences, amplified algorithmically, repeated indefinitely, and coordinated across multiple platforms and communities. This has substantially increased both the reach and social impact of racism directed at First Nations peoples.

Digital platforms are uniquely capable of intensifying racial hatred because their business models frequently incentivise engagement, outrage and polarisation. Algorithms often promote inflammatory and emotionally provocative content because such content drives user interaction and advertising revenue. Minority communities consequently bear a disproportionate burden of online abuse. The ECAJ has previously noted that digital services' "incentives pull heavily toward ingroup solidarity and outgroup derogation", thereby increasing the likelihood that vulnerable minorities will be targeted by coordinated abuse and dehumanising narratives.<sup>17</sup>

These dynamics have particular significance for Aboriginal and Torres Strait Islander peoples. Online platforms have facilitated the rapid dissemination of racist stereotypes, conspiracy theories, misinformation about Indigenous history and identity, and coordinated harassment campaigns targeting First Nations individuals, advocates, academics, journalists and community organisations. During periods of heightened public debate concerning Indigenous affairs — including constitutional recognition, deaths in custody, land rights, policing, cultural heritage protection and the Voice referendum — social media platforms have enabled racist discourse to spread at extraordinary scale and speed (please see **Appendix A** for examples).

---

<sup>15</sup> Executive Council of Australian Jewry, *Submission to the Statutory Review of the Online Safety Act 2021*, Submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, 21 June 2024, available at: <https://www.ecaj.org.au/wordpress/wp-content/uploads/ECAJ-Submission-to-Online-Safety-Review-21.6.2024-FINAL-SUBMITTED.pdf>.

<sup>16</sup> Julie Nathan, *Report on Antisemitism in Australia 2023*, Executive Council of Australian Jewry, October 2024, available at: <https://www.ecaj.org.au/category/our-work/report/antisemitism-report/>.

<sup>17</sup> Max Fisher, "Belonging Is Stronger Than Facts: The Age of Misinformation", *The New York Times*, 7 May 2021, available at: <https://www.nytimes.com/2021/05/07/world/asia/misinformation-disinformation-fake-news.html>.

The ECAJ notes that online harms are often not confined to purely digital environments. Online hate contributes to broader social division, normalises discriminatory attitudes, desensitises audiences to dehumanising rhetoric, and can act as a precursor to offline intimidation, harassment and violence. As Human Rights Commissioner Lorraine Finlay observed, “Misinformation and disinformation can have devastating effects on human rights, social cohesion and democratic processes”.<sup>18</sup>

The ECAJ’s experience in relation to antisemitism demonstrates that misinformation and disinformation are frequently central drivers of racial hatred. False narratives, conspiracy theories and dehumanising stereotypes can become normalised through repetition and algorithmic amplification. The same mechanisms that have historically fuelled antisemitic conspiracy theories online are also evident in racist discourse directed at First Nations peoples, including narratives portraying Indigenous Australians as illegitimate beneficiaries of public resources, inherently criminal, culturally incompatible with Australian society, or undeserving of equal participation in public life.

Importantly, online racism does not merely affect the direct targets of abuse. The broader social harms include:

- the normalisation of racist discourse;
- the silencing of minority voices through intimidation and pile-on harassment;
- reduced participation by vulnerable groups in democratic and public debate;
- psychological harm, including fear, anxiety and trauma;
- erosion of trust in institutions and social cohesion;
- radicalisation pathways into extremist movements; and
- increased risk of offline harassment, intimidation and violence.

The ECAJ notes that these harms are compounded by several structural features of online platforms, including:

- anonymity and pseudonymity, which reduce accountability for harmful conduct;
- algorithmic amplification of inflammatory content;
- inconsistent moderation and enforcement standards;
- inadequate transparency regarding platform decisions and data;
- underinvestment in culturally informed moderation capacity;
- insufficient consultation with affected communities; and

---

<sup>18</sup> Lorraine Finlay, “Why Misinformation Bill Risks Freedoms it Aims to Protect”, Australian Human Rights Commission, August 2023, available at: <https://humanrights.gov.au/about/news/opinions/why-misinformation-bill-risks-freedoms-it-aims-protect>.

- the persistence and resurfacing of harmful content even after removal.<sup>19</sup>

The ECAJ further notes that online harms are often experienced cumulatively. Members of targeted communities may be subjected to a constant stream of racist commentary, memes, abuse, threats and dehumanising narratives across multiple platforms and over extended periods of time. They may also see their leaders being repeatedly targeted online, which can have a chilling effect on communities. The cumulative effect can be profound and may substantially limit affected individuals' willingness to participate freely in civic, professional, educational and public life.

The ECAJ's experience assisting victims of online antisemitism has demonstrated that existing regulatory systems frequently fail to respond adequately to group-based harms. Current online safety frameworks are often overly focused on harms directed at identifiable individuals rather than harms directed at communities collectively. However, racism directed at First Nations peoples frequently operates through attacks on group identity, collective dignity and social legitimacy. These harms can be severe even where no single individual is specifically targeted. The ECAJ therefore considers that Australia's online safety framework requires significant strengthening in order to respond effectively to racism and hate directed at Aboriginal and Torres Strait Islander peoples, Jewish people, and other individuals or groups with protected attributes. This task must not be delayed. World Jewish Congress (**WJC**) research demonstrates the link between online antisemitism and offline violence, and there is no reason to think that the same link does not exist between online hate and offline violence with respect to other targeted minority groups. The WJC's 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.<sup>20</sup>

The ECAJ provides the following recommendations as possible ways to address the scourge of online hate targeting First Nations peoples, along with an assessment of their current status following the Government's response to the Independent review of the Online Safety Act.

---

<sup>19</sup> World Jewish Congress Institute for Technology and Human Rights, *Best Practices for Decreasing Antisemitism and Hate Speech in the Online Space*, World Jewish Congress, June 2025, available at: <https://www.worldjewishcongress.org/en>.

<sup>20</sup> Please refer to <https://www.worldjewishcongress.org/en/news/project-bridges-building-resilience-dialogue-governance-against-antisemitismeurope>

<b>Recommendation</b>	<b>Extent Adopted in Government Response</b>	<b>Implementation Status / Commentary</b>
<p>Recommendation 1: That the overarching objects in section 3 of the Act be amended so as to provide explicitly for the improvement and promotion of online safety for individuals and protected groups</p>	<p>Partially adopted</p>	<p>The Government response supports broader systemic online safety reforms and a digital duty of care, but does not expressly amend section 3 to refer specifically to protected groups. Implementation remains incomplete</p>
<p>Recommendation 2: That a separate section of the Act be introduced to address group harms online, and to allow the eSafety Commissioner to accept reports of harmful content directed at protected groups if the reports are made by their trusted representative organisations</p>	<p>Largely outstanding</p>	<p>The Government response does not establish a dedicated statutory framework for group harms or trusted representative reporting mechanisms. No implementation identified</p>
<p>Recommendation 3: That in the place of the current Online Content Scheme, the regulator be responsible for drafting codes in consultation with industry and trusted representatives of the Australian public including peak representative bodies of protected groups</p>	<p>Partially adopted</p>	<p>The Government supports stronger regulatory code-making powers and oversight, but industry remains heavily involved in drafting codes. Formal consultation obligations with representative bodies of protected groups have not been implemented</p>
<p>Recommendation 4: That additional regulatory requirements be introduced in respect of online services with higher risk and reach, using the UK risk-based regulatory regime as a model</p>	<p>Substantially adopted</p>	<p>The Government response endorses a risk-based regulatory model broadly comparable to the UK framework. Implementation is ongoing through proposed reforms to platform obligations</p>
<p>Recommendation 5: That the current regulatory regime with</p>	<p>Outstanding</p>	<p>No specific proposal has been adopted requiring removal of</p>

respect to material that depicts abhorrent violent conduct be enhanced by the adoption of appropriate vetting systems by service providers to ensure that denialist content is also removed and reported		denialist content relating to abhorrent violent conduct or mandatory vetting systems addressing such material
Recommendation 6: That mandatory reporting systems, complaint handling obligations, and stronger takedown powers be introduced and extended to cover online harms impacting protected groups	Partially adopted	The Government response supports stronger transparency and reporting obligations and enhanced enforcement powers, but mandatory complaint reporting systems and group-harm extensions have not yet been fully implemented
Recommendation 7: That additional arrangements be introduced to address online harms including online hate, volumetric attacks, technology-facilitated abuse and online abuse of public figures	Partially adopted	The Government acknowledges emerging harms including pile-on abuse and technology-facilitated abuse, but the specific mechanisms proposed by ECAJ, including group harm takedown provisions and representative standing arrangements, have not been adopted
Recommendation 8: That the Act remain technology-neutral and retain its focus on online harms rather than the way such harms are inflicted	Substantially adopted	The Government response largely maintains a technology-neutral approach focused on harms rather than technologies. This principle appears reflected in proposed reforms
Recommendation 9: That the breadth of the Basic Online Safety Expectations be widened to encompass unlawful or harmful content that impacts a protected group	Partially adopted	The Government response strengthens Basic Online Safety Expectations obligations generally, but there remains no explicit extension dealing specifically with harms directed at protected groups
Recommendation 10: That a statutory duty of care be introduced into Australia's	Adopted in principle	The Government has committed to introducing a statutory digital duty of care. However, it remains

existing hybrid model, extending to online harms inflicted on protected groups		unclear whether the final framework will expressly encompass harms inflicted on protected groups
Recommendation 11: That penalties under the Act be based on the higher of a fixed percentage of annual global turnover or a fixed amount sufficient to deter platforms with significant reach	Substantially adopted	The Government response supports significantly increased penalties and stronger deterrence mechanisms tied to platform size and systemic failures. Full legislative implementation remains underway
Recommendation 12: That a sliding scale of penalties and offences be introduced such that the most serious and systemic offences are penalised more heavily	Substantially adopted	The Government response supports stronger enforcement and proportionate penalties for systemic non-compliance. More detailed legislative implementation is still developing
Recommendation 13: That the Commissioner’s power to take action against repeat offenders be retained and extended to harms inflicted on protected groups	Partially adopted	Repeat offender enforcement powers are being strengthened, but there is no express extension concerning harms directed at protected groups
Recommendation 14: That providers produce annual independent eSafety audit reports and verify the identities of their users	Partially adopted	The Government supports stronger transparency and audit-style obligations, but annual independent eSafety audits and identity verification obligations have not been fully implemented
Recommendation 15: That the Commissioner be empowered to seek broader expert input and be better resourced to explore harms and solutions	Partially adopted	The Government response supports strengthening the eSafety Commissioner’s regulatory capabilities and expertise, although the broader consultative and resourcing proposals remain only partly implemented
Recommendation 16: That the eSafety Commissioner be	Substantially adopted in	The Government response supports stronger regulatory

empowered to recover the costs of its regulatory activities from providers	principle	funding mechanisms and enhanced regulatory powers. Cost recovery arrangements are likely to expand but remain subject to implementation
--	-----------	---

### **3 Initiatives that are effective in combating racism targeted at First Nations people and reduce individual and collective harm**

#### *Education*

At the outset, we submit that specialised and more highly nuanced education with regard to racism (including education that specifically addresses First Nations racism and antisemitism respectively) should be implemented as a means of combatting racism and reducing harm. This is essential because racism does not operate as a single, uniform phenomenon, and manifests differently across communities, produces distinct harms, and is sustained by different myths, power dynamics and social attitudes. We also submit that it is of critical importance that the content and methodology of education programs addressing First Nations racism are developed in close consultation with First Nations communities themselves.

The ECAJ has repeatedly argued in its public materials and submissions that antisemitism has unique historical, ideological and contemporary features which mean that generic anti-racism programs are insufficient on their own. Some of the reasons for this position in relation to antisemitism is that it is:

- “shape-shifting” and adapts to different political and social contexts;
- frequently misunderstood or minimised even within broader anti-racism movements;
- Holocaust education alone has proven to be insufficient;
- Difficult to detect and that contemporary manifestations of antisemitism (including anti-Zionist forms, conspiracy theories and coded discourse) require specific literacy and training;
- Difficult to diagnose unless specialised frameworks such as the IHRA Working Definition are used.

While the pervasive stereotypes and tropes that are deployed in racist discourse and online hate targeting First Nations people differ from the antisemitic tropes, similar arguments about the need for sufficiently specific educational interventions to address racism against First Nations people apply. Such racism is deeply connected to Australia’s colonial history, dispossession, intergenerational trauma, social exclusion and structural disadvantage.

The ECAJ further submits that anti-racism education should not merely focus on tolerance, but should actively seek to build empathy, critical thinking skills, digital literacy, and resistance to extremist narratives and conspiracy theories.

#### *Self-determination and involvement*

The ECAJ submits that the Priority Reforms developed by the Coalition of Peaks — and particularly Priority Reform Three concerning the transformation of government organisations — are likely to play an effective role in combatting racism targeted at First Nations peoples and reducing both individual and collective harm.

The Coalition of Peaks is made up of more than 80 Aboriginal and Torres Strait Islander community-controlled peak and member organisations across Australia, that represent some 800 organisations. Coalition of Peaks Members came together as an act of self-determination to work in partnership with Australian governments on Closing the Gap, with the Priority Reforms responding “*to the voices and aspirations of Aboriginal and Torres Strait Islander people and were overwhelming supported during formal engagements in 2019. Each Priority Reform has its target and indicators*”.<sup>21</sup>

By way of brief summary, the Priority Reforms consist of the following:

- i. Formal partnerships and shared decision-making, described as ‘*building and strengthening structures to ensure the full involvement of Aboriginal and Torres Strait Islander people with governments on closing the gap at every level*’;
- ii. Building the community-controlled sector, described as ‘*building formal Aboriginal and Torres Strait Islander community-controlled service sectors to deliver closing the gap services*’;
- iii. Transforming government organisations, described as:  
  
*‘ensuring mainstream government agencies and institutions that deliver services and programs to Aboriginal and Torres Strait Islander people undertake systemic and structural transformation to contribute to Closing the Gap... We want to see governments putting in more effort into tackle systemic racism and promote cultural safety, transfer power and resources to communities and Aboriginal and Torres Strait Islander organisations, and ensure Aboriginal and Torres Strait Islander people play a key role in decision making in these organisations’*; and
- iv. Shared access to data and information at a regional level, described as ‘*ensuring Aboriginal and Torres Strait Islander people have access to, and the capability to use,*

---

<sup>21</sup> <https://www.coalitionofpeaks.org.au/priority-reforms>.

*locally relevant data and information to monitor the implementation of the Priority Reforms, the closing the gap targets, and drive their own development’.*

The ECAJ strongly supports approaches grounded in self-determination, shared decision-making and community leadership, and submits that community-led initiatives are frequently among the most effective means of combatting racism and reducing harm.

Representative organisations, including Aboriginal and Torres Strait Islander organisations, religious communities, multicultural organisations and civil society groups, play an essential role in victim support, incident reporting, community education, advocacy and social cohesion.

#### *Legal reform and advocacy*

Section 18C of the Racial Discrimination Act 1975 (Cth) performs an important normative and protective function in Australian society by establishing that public acts reasonably likely to offend, insult, humiliate or intimidate persons because of their race, colour or national or ethnic origin are unlawful, subject to the exemptions contained in section 18D.

The ECAJ submits that section 18C should continue to be utilised robustly to protect Aboriginal and Torres Strait Islander peoples from serious racist vilification and dehumanisation. We recognise that all too often, the cost of bringing a section 18C case can be prohibitive and act as a bar on Aboriginal and Torres Strait Islander people (and other people with protected attributes) utilising this provision. To that end, we would like to see further reform to make the provision more accessible to those who have been adversely impacted by racially vilifying conduct, perhaps through greater government funding to community legal centres and provision of specialised training in this area of law for lawyers providing pro bono legal services to First Nations people.

The ECAJ also reiterates its support for the introduction of a criminal offence prohibiting the intentional or reckless promotion of hatred against persons or groups possessing protected attributes. Such an offence should apply to conduct directed at persons or groups possessing protected attributes, including race, ethnicity, colour, national origin, gender identity, sexual orientation, age or disability. Many previous hate speech cases have failed to result in prosecutions because of the impossibility of proving incitement beyond reasonable doubt, and reform is necessary to bring Australian law into conformity with Article 4 of the International Convention for the Elimination of All Forms of Racial Discrimination.

#### **4 The threat posed by ideologically motivated extremism towards First Nations people and the role of intelligence and law enforcement agencies in protecting the community from that threat**

On January 26, 2026, a man allegedly threw a homemade "fragment bomb" into a peaceful rally of approximately 2,500 people in Boorloo/Perth, targeting First Nations participants. The device, allegedly packed with shrapnel, did not detonate, avoiding mass casualties. An individual has

been charged with engaging in a terrorist act contrary to section 101.1 of the *Criminal Code* (Cth), which carries a maximum penalty of life imprisonment. It is alleged the individual acted to advance a national racially motivated ideological cause.<sup>22</sup>

The Treaty Council Worldwide Aboriginal and Torres Strait Islander Corporation (The Treaty Council) states that ‘there is a growing threat of ideologically motivated extremism directed at First Nations people, including white supremacist and anti-Indigenous ideologies that seek to undermine First Nations’ rights, identity and sovereignty. These ideologies are increasingly visible and, at times, reflected in broader public and political discourse’.<sup>23</sup> The Australian Multicultural Action Network (AMAN) describes these extremist narratives as often including ‘historical denialism’, ‘anti-Indigenous conspiracy theories’, ‘racist propaganda’, and ‘calls for violence’, which ‘circulate online and can influence individuals and groups’.<sup>24</sup> This is deeply congruent with the experience of the Jewish community, who have been increasingly impacted and harmed by the dissemination of these narratives.

Where there is racist discourse, this creates an environment in which hate crimes are more likely to occur. As Dr Tim Soutphommasane, the then Race Discrimination Commissioner pointed out in relation to section 18C of the Racial Discrimination Act 1975 (Cth): “This provision was introduced because there is a connection between racial hatred and racial violence.”<sup>25</sup>

Such attempted or executed acts of violence have an impact on targeted communities that 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.

To this end we commend the recent legislative reform that creates a new listing framework for prohibited hate groups, namely organisations which engage in or advocate hate crimes on the basis of race, or national or ethnic origin.

---

<sup>22</sup> [Man charged with terrorism offence under Operation Dumfries | Australian Federal Police](#)

<sup>23</sup> Treaty Council Worldwide Aboriginal and Torres Strait Islander Corporation (The Treaty Council), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

<sup>24</sup> Australian Multicultural Action Network (AMAN), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

<sup>25</sup> Dr Tim Soutphommasane, Race Discrimination Commissioner, Australian Human Rights Commission, Peace and Understanding Lecture, International House, University of Queensland, 17 September 2013, available at: [Racism, Hate Speech and Multiculturalism - ECAJ](#).

It is our hope that the Royal Commission on Antisemitism and Social Cohesion will deliver practical recommendations which will be swiftly adopted, including in the areas of law enforcement and intelligence, and which will pertain to section (d) of its Letters Patent, by making “any other recommendations arising out of [your] inquiry into the matters set out in paragraphs (a) to (c) that would contribute to strengthening social cohesion in Australia and countering the spread of ideologically and religiously motivated extremism in Australia”.<sup>26</sup>

We also wish to bring to the attention of the Review the ECAJ’s recent submission on the *Combatting Antisemitism, Hate and Extremism Bill 2026*<sup>27</sup>, which addresses the threat posed to the Australian Jewish community, and Australian society as a whole, by extremist movements. We have supported practical measures in a range of areas, including with respect to online safety (see section 2 above), in order to address the thriving climate of online hate that acts as an echo chamber for extremists. We also recommend to this Inquiry the ECAJ’s prior submission to the Committee on Law and Safety’s ‘Measures to combat right-wing extremism in New South Wales’<sup>28</sup>, in which we put forward Australian and international examples of best practice and methods and practices the Government might adopt to address the rise in extremism.

## **5 The effectiveness of avenues for reporting and responding to racism against Aboriginal and Torres Strait Islander people, including the consistency, timeliness and appropriateness of outcomes across jurisdictions and institutions**

Hate crimes aimed at individuals or groups on the basis of a protected attribute reveal an anti-social propensity to cause social division and breach the peace, and these hate crimes therefore have significance at the societal level that goes beyond the harm inflicted on the victim.

The current avenues for reporting and responding to racism against Aboriginal and Torres Strait Islander People as well as other individuals or groups who are targeted on the basis of a protected attribute are inadequate and inconsistent.<sup>29</sup> Current reporting mechanisms have also been described as ‘fragmented’<sup>30</sup> and ‘ineffective’, which is ‘particularly evident in workplace

---

<sup>26</sup> Letters Patent, Royal Commission on Antisemitism and Social Cohesion, 8 January 2026, available at: [Letters Patent - Royal Commission on Antisemitism and Social Cohesion | Royal Commission on Antisemitism and Social Cohesion](#).

<sup>27</sup> ECAJ, *Combatting Antisemitism, Hate and Extremism Bill 2026*, <https://www.ecaj.org.au/category/our-work/submission/>

<sup>28</sup> ECAJ, *Measures to combat right-wing extremism in New South Wales*, <https://www.ecaj.org.au/wordpress/wp-content/uploads/ECAJ-submission-to-NSW-Parliament-inquiry-into-right-wing-extremism-20260210.pdf>

<sup>29</sup> Australian Multicultural Action Network (AMAN), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

<sup>30</sup> Treaty Council Worldwide Aboriginal and Torres Strait Islander Corporation (The Treaty Council), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at

settings, where internal complaint processes often prioritise institutional risk over accountability. First Nations employees frequently experience complaints being minimised, a lack of cultural competency, retaliation, and confidentiality processes that protect institutions. Across jurisdictions, there is a lack of clarity, delays, limited accountability and a lack of cultural safety. There is a need for nationally consistent frameworks, independent oversight, culturally grounded processes and recognition of systemic harm'.<sup>31</sup>

For several years, the ECAJ has been drawing attention to the lack of an infrastructure for the reporting of hate crimes and incidents against minority communities<sup>32</sup>. In October 2020, the ECAJ published an article titled 'Outline for a uniform national system for classifying and recording hate crimes'. However, it took some time for this idea to gain traction. As part of the recent NSW Law Reform Commission's (the Commission) review of the Anti-Discrimination Act 1977 (NSW) the ECAJ and the Australian Special Envoy to Combat Antisemitism recommended the establishment of a Federal Hate Crimes Database (the **Database**) to monitor and track the commission of hate crimes (as defined by section 114A.3 of the *Criminal Code Act 1995* (Cth)), and alleged hate crimes. The development of a 'unified, national portal for reporting racism and hate incidents' is an idea that has also been recommended by other organisations, such as the Australian Multicultural Action Network (AMAN).<sup>33</sup>

We have indicated most recently in our review of the Exposure Draft Legislation: *Combating Antisemitism, Hate and Extremism Bill 2026* (Cth) that this Database should include a record of:

- Incidents reported to police as hate crimes, or otherwise identified as such by law enforcement officers in the context of investigative activity (Stage 1);
- Alleged hate crime offences prosecuted by police (Stage 2);
- Alleged hate crime offences referred to a prosecutorial agency which are finalised out of court (Stage 3); and
- Alleged hate crime offences referred to a prosecutorial agency which are finalised by a court outcome (Stage 4).

---

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions); Australian Multicultural Action Network (AMAN), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

<sup>31</sup> Treaty Council Worldwide Aboriginal and Torres Strait Islander Corporation (The Treaty Council), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

<sup>32</sup> Nathan, Julie, 'To protect vulnerable communities, we must have an accurate picture of the expressions of hate they face', *ABC Religion and Ethics*, 14 June 2022, available at: [To protect vulnerable communities, we must have an accurate picture of the expressions of hate they face - ABC Religion & Ethics](https://www.abc.net.au/religion/2022/06/14/to-protect-vulnerable-communities-we-must-have-an-accurate-picture-of-the-expressions-of-hate-they-face-abc-religion-ethics/)

<sup>33</sup> Australian Multicultural Action Network (AMAN), *Submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs*, available at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Aboriginal\\_and\\_Torres\\_Strait\\_Islander\\_Affairs/Responsestoracism/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Aboriginal_and_Torres_Strait_Islander_Affairs/Responsestoracism/Submissions)

- Details of the outcome including sentence, if any (Stage 5).<sup>34</sup>

We have further recommended that responsibility for the Database be assigned to the Attorney-General's Department and that the Department be required to publish a de-identified annual report about the above matters, and that a specialist group be created to monitor the enforcement of hate crime and serious vilification provisions. The database is currently in its infancy<sup>35</sup>, and much work will need to be carried out to ensure it includes a record of the matters set out above so that hate crimes or incidents targeting Aboriginal and Torres Strait Islander people are documented and analysed, and appropriate interventions can be formulated in order to deal with the scourge of racist hate crimes and conduct targeting First Nations People.

## **Conclusion**

Against the backdrop of fraying social cohesion, there is every likelihood that unless there are informed and effective legal, educational, law enforcement, policy and other interventions, racism, hate and violence towards First Nations people may increase. Decisive leadership and action is required to prevent this. The Australian Jewish community stands in solidarity with First Nations people and recognises the ongoing, cumulative and intergenerational impacts of racism, hate and violence. We will walk forward together, seeking justice and peace.

We consent to this submission being made public and wish you well in your deliberations.

Yours sincerely



**Peter Wertheim AM**  
Co-CEO



**Simone Abel**  
Head of Legal

---

<sup>34</sup> ECAJ Inquiry into the Criminal Code Amendment (**Hate Crimes**) Bill 2024, available at: <https://www.ecaj.org.au/wordpress/wp-content/uploads/ECAJ-Submission-Combatting-Antisemitism-Hate-and-Extremism-Bill-15.1.2026.pdf>

<sup>35</sup> <https://www.aic.gov.au/statistics/national-hate-crimes-database>

## Appendix A: Examples of antisemitism fused with First Nations racism



9:06 PM Jun 23, 2023

All of the major creators, financiers and supporters of the Voice to Parliament are Jewish. Ask yourself why .38% of Australia's population is using 3% as a battering ram against the rest of the country. Every single time.



Mark Leibler Thomas Mayo Anthony Pratt Justice Stephen Rothman



Julian Leaser Josh Burns Kim Rubinstein Mark Dreyfus

3:59PM, Jul 2, 2023



5:42AM, Jul 11, 2023



Just a totally organic coincidence for the betterment of Australia and totally not the latest chapter in the thousands year old hate and attempted destruction of white people. cc:



**5:40AM Jul 11, 2023**