

Submission to the Joint Committee on Intelligence and Security in Review of the Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Bill 2023

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I welcome the opportunity to submit to this important inquiry into the Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Bill 2023 (the bill).

Recommendations:

1. That the Parliament passes the bill with an amendment to establish a review mechanism
2. That the government provides enhanced education and awareness programs
3. That the government collaborates with technology companies.
4. The the government provides support for affected communities

The Bill

I am writing to express my strong support for the Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Bill 2023 and its proposed amendments to the Criminal Code Act 1995. I believe that this bill is a crucial step towards safeguarding our society, protecting vulnerable communities, and countering the threats posed by hate symbols, violent extremist material, and terrorism advocacy.

The provisions outlined in the bill demonstrate a comprehensive and proactive approach in addressing the pressing issues related to hate symbols and their public display. By criminalizing the public display and trading of prohibited Nazi and Islamic State symbols, we send a clear message that Australia stands united against displays of hate and intolerance. These symbols, such as the Nazi hakenkreuz, the Nazi double sig rune, and the Islamic State flag, not only represent abhorrent ideologies but also evoke fear and perpetuate hatred among affected communities.

Moreover, the inclusion of offenses for using a carriage service to deal with violent extremist material is a vital measure to combat the dissemination of harmful content that incites violence and instills fear in our society. By criminalizing the possession and dissemination of violent extremist material through online platforms or other means, we empower law enforcement agencies to intervene at an earlier stage in individuals' progress towards violent radicalization, thereby safeguarding our communities from potential acts of terrorism.

The bill's strengthening of the offense of advocating terrorism in the Criminal Code is a necessary response to the concerning promotion and glorification of extremist views, especially among vulnerable individuals who are susceptible to radicalization. By expanding the offense to include instructing on the commission of a terrorist act or praising the doing of a terrorist act, we address the insidious nature of online platforms being exploited to spread dangerous ideologies. The increased maximum penalty for this offense from five to seven years imprisonment appropriately reflects the gravity of such acts and serves as a deterrent against the incitement of violence.

Furthermore, the removal of the sunset requirement for terrorist organization listings is a pragmatic step that acknowledges the longevity of terrorist organizations and the need for sustained vigilance. This amendment ensures that listings remain in effect until a proactive decision is made to de-list an organization, while still maintaining appropriate processes for review and potential removal of organizations that no longer meet the listing threshold.

It is important to note that the bill preserves legitimate uses of these symbols and expressions, such as for religious, academic, educational, artistic, literary, scientific, or journalistic purposes. This ensures that freedom of expression and historical education are respected while addressing the misuse of symbols for hate and incitement.

In conclusion, the bill represents a significant step forward in strengthening our legal framework to counter terrorism, protect vulnerable communities, and promote social cohesion. The proposed amendments demonstrate a commitment to maintaining a safe and inclusive society where hate symbols and extremist ideologies have no place.

One potential amendment to the bill though is that it should include provisions for regular evaluation and review of its effectiveness. This will ensure that the legislation remains relevant and responsive to evolving threats and societal needs.

I urge the Parliamentary Joint Committee on Intelligence and Security to carefully consider the merits of this bill and support its passage into law. By doing so, we can collectively work towards creating a society that upholds the values of respect, tolerance, and inclusivity.

Beyond the bill

The following pieces of work (as reflected in recommendations) will strengthen the application of the bill:

Enhanced education and awareness program

Enhanced education and awareness programs aim to equip individuals, particularly young people, with the knowledge, critical thinking skills, and understanding necessary to counter hate symbols and extremist ideologies. By implementing comprehensive educational initiatives, particularly in schools and communities, we can actively address the root causes of radicalization and promote social cohesion.

A strong program would include:

Integrate with the curriculum: Encourage the integration of educational programs that specifically address the history and consequences of hate symbols, extremist ideologies, and terrorist activities into existing curricula. This can be done across various subjects, such as history, social studies, and citizenship education. By incorporating these topics into the curriculum, we ensure that young people develop a deeper understanding of the negative impacts of hate symbols and extremism.

Promoting critical thinking: Emphasize the importance of fostering critical thinking skills within educational programs. Teach students how to analyze and evaluate information critically, including identifying propaganda, misinformation, and extremist narratives. By

empowering individuals to think critically, we enable them to recognize and reject hate symbols and extremist ideologies more effectively.

Empathy and inclusion: Highlight the significance of promoting empathy, understanding, and inclusion within educational settings. Encourage schools and educators to create safe spaces for open dialogue and discussions, promoting respect for diversity and combating stereotypes and prejudices. By nurturing empathy and inclusion, we can build resilient communities that are less susceptible to radicalization.

Partnerships and resources: Advocate for partnerships between educational institutions, government agencies, and community organizations to develop and implement effective educational programs. Provide resources and training for teachers to equip them with the necessary knowledge and tools to address hate symbols and extremism in the classroom. Engage with experts, community leaders, and affected communities to ensure the programs are culturally sensitive and relevant.

Awareness campaigns: Support the development of public awareness campaigns that aim to educate the wider community about the dangers of hate symbols and extremist ideologies. These campaigns can utilize various media channels to reach a broad audience and promote understanding, tolerance, and unity.

By incorporating these education and awareness initiatives alongside the legislative measures proposed in the bill, we can create a comprehensive approach to combat hate symbols and extremism. Education plays a critical role in preventing radicalization, promoting social harmony, and building resilient communities that reject hate and embrace inclusivity.

Collaboration with technology companies

There are four key opportunities to collaborate with technology companies:

1. **Identification and removal of extremist content:** Collaboration with technology companies is crucial to swiftly identify and remove extremist content, including violent extremist material, from online platforms. By working together, governments and technology companies can develop effective mechanisms, such as reporting systems and content moderation algorithms, to detect and remove harmful content that promotes hate symbols and extremist ideologies. This collaborative approach can help mitigate the spread of such content and reduce its impact on vulnerable individuals.
2. **Sharing of information and intelligence:** Collaboration allows for the sharing of relevant information and intelligence between governments, law enforcement agencies, and technology companies. This exchange of information can help identify emerging trends, tactics, and individuals involved in the dissemination of extremist content. By leveraging the expertise and resources of technology companies, governments can enhance their understanding of the online landscape and develop targeted strategies to counter hate symbols and extremism effectively.

3. Development of technology solutions: Working together, technology companies and governments can invest in research and development of technology solutions specifically designed to identify, monitor, and combat extremist content online. This can include advancements in artificial intelligence, machine learning, and data analytics to enhance content moderation and detection capabilities. By supporting and collaborating with technology companies, governments can leverage technological innovations to stay ahead of evolving threats and effectively combat hate symbols and extremist ideologies in the digital space.
4. Policy and regulatory discussions: Collaboration between governments and technology companies provides an opportunity for constructive policy and regulatory discussions. By engaging in dialogue, both parties can work towards finding balanced solutions that address concerns related to hate symbols and extremist content while respecting freedom of speech and privacy. This collaboration ensures that legislative measures and policies are informed by technological expertise and considerations, leading to more effective and targeted approaches.
5. Promoting responsible technology use: Collaboration with technology companies allows for the promotion of responsible technology use and the development of tools and features that encourage positive online behavior. This can include initiatives that promote digital literacy, media literacy, and online safety education. By fostering responsible technology use, we empower individuals to critically engage with online content, recognize and report hate symbols and extremist material, and contribute to creating a safer digital environment.

Overall, collaborating with technology companies is crucial in addressing the dissemination of extremist content online. By pooling resources, expertise, and perspectives, governments and technology companies can develop comprehensive strategies and solutions that effectively counter hate symbols and extremist ideologies in the digital realm.

Support for affected communities:

Beyond this bill, the government must support and resource communities affected by hate symbols and extremist activities. This could include funding for community programs, initiatives to promote dialogue and understanding, and support services for individuals impacted by hate crimes or radicalization attempts. Strengthening community resilience is key to countering the divisive effects of hate symbols.

Thank you for considering my submission. I would be pleased to provide any further information or participate in any discussions related to this matter.