

MYAN NSW Submission on the Criminal Code Amendment (Prohibition of Nazi Symbols) Bill 2023.

About MYAN NSW

MYAN NSW is a state-wide specialist youth organisation with a focus on supporting refugees and humanitarian entrants. MYAN NSW has worked closely with young people from refugee, migrant, and cultural communities since 2014. We provide support and expertise to ensure young people from refugee and migrant backgrounds are able to build the skills, knowledge and networks they need to be active citizens in Australian society.

MYAN NSW leads a statewide network of thousands of practitioners within the youth and settlement social service and policy industry. We provide best practice leadership around working with recently arrived young people and those from cultural communities.

MYAN NSW is part of a national and international network of cultural youth specialist organisations providing insight across the country in order to support the settlement of young people. We engage, connect and build the capacity of the community service sector to meet the needs of multicultural young people and are considered an industry leader.

Demographic Data

We live in a culturally diverse state. Over 730,000 young people in NSW aged 10-25 years have one or both parents born overseas. Settlement data from the Department of Home Affairs tells us that over 10,000 young people have settled in NSW under a humanitarian visa over the past 10 years. The top countries of birth for humanitarian arrivals over the past five years are; Iraq, Syria, Afghanistan, Iran and the Democratic Republic of Congo.

About this Submission

MYAN NSW welcomes the opportunity to comment on the Criminal Code Amendment (Prohibition of Nazi Symbols) Bill 2023.

This submission draws upon the Counter Violent Extremism (CVE) and social cohesion projects undertaken by MYAN NSW since 2016. We play a key role within the NSW COMPACT Alliance.

MYAN NSW is greatly concerned by the increase in “alt-right” displays and public action that has taken place throughout the country and particularly within NSW.

MYAN NSW are in support of the Criminal Code Amendment (Prohibition of Nazi Symbols) Bill 2023.

The harm caused by public displays of Nazi, fascist and other symbols of hate affects the psycho-social wellbeing of young people resettling in Australia.

The use of symbols such as Nazi or fascist insignia creates a sense of psychological terror for local communities. These symbols remain painful reminders of the use of state sanctioned violences on communities that have resulted in false imprisonment, torture and genocide.

The communities of young people we support in NSW have experienced forcible displacement and similar harms. In some cases, young people we work alongside are the direct descendants of the communities who bore the brunt of Nazism or fascism in Europe.

Allowing public displays of Nazi symbolism is highly distressing, creates fear and division and is linked to hate-based behaviour and violence. Communities have the right to feel they are protected by the law from all symbols of fear, hate and division such as those Nazi or fascist symbols promote.

Background

Neo-Nazi and fascist ideology in Australia aligns itself closely with white-supremacy and white nationalism which has been a feature within Australia since colonisation.¹

Since 2001 Australia has witnessed the formation and rise of numerous alt-right or neo-Nazi groups, including the True Blue Crew, the United Patriots Front, the Conservative National Party, the Antipodean Resistance, the Soldiers of Odin, Identity Australia, Reclaim Australia, the National Socialist Network, and the Lad’s Society, amongst many others.² These groups are known for combining online organisation with intimidating street activity similar to that seen at recent gatherings in Victoria and Canberra in support of public figure Posie Parker whose

¹ Campion. K (2019) A “lunatic fringe?” *The persistence of right wing extremism in Australia Perspectives on Terrorism*, Volume 13 Issue 2.

² Ibid.

platform revolves around transphobia and transmisogyny.

MYAN NSW wants to stress the unique challenge and risk of violence newly arrived young people who identify as part of the LGBTQIA+ community face regarding alt-right, neo-nazi and other white supremacist groups targeting queer communities particularly in NSW.³

This current wave of fascist organising has orientated itself as explicitly anti-trans and anti-queer.

MYAN NSW as noted in consultation with young people there is minimal support for young people from cultural communities who identify as part of the LGBTQIA+, particularly for feminine identifying individuals. This means they are less likely to seek or find relative, and culturally appropriate support when affected by violence.

This concern is backed by the Social Cohesion Index which has noted that feelings of belonging by Australians born overseas and young people have dipped in recent years.⁴ Therefore special attention should be given to the intersectional needs and compounding potential violence experienced by recent arrivals who are targeted by neo-nazi rhetoric, and the ongoing effects on social cohesion within Australia.

Rationale of Support

1. Public displays of Nazi and fascist symbols affect the primary settlement outcomes of young people.
2. Public displays of Nazi and fascist symbols affect community harmony and social cohesion. Divisive insignia disrupts the policy and practitioner groundwork in making Australia a safe place for people from cultural communities.
3. The ability to display Nazi and fascist symbols emboldens white supremacy and aids public recruitment drives.

³ Ireland, O. (2023) *Video shows LGBTQ protesters pleading for help outside Mark Latham event*, SMH. <https://www.smh.com.au/national/nsw/two-arrested-after-hundreds-turn-on-lgbtq-protesters-outside-mark-latham-event-20230322-p5cu6b.html>.

⁴ Scanlon Foundation Research Institute.(2023) *Mapping Social Cohesion 2022*, Available at: <https://scanloninstitute.org.au/mapping-social-cohesion-2022>

Recommendations

1. Appropriate changes are made to the Criminal Code to criminalise the display of Nazi symbology. We also recommend this extends to other well-known Nazi symbols such as the Black Sun.
2. The federal government should provide specialised support and funding is provided to local organisations working with young people who identify as LGBTQIA+ and are from cultural communities to help safeguard social cohesion, safety and further support settlement outcomes.

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