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Sent: Friday, 2 August 2024 8:09 PM
To: NSW_LRC
Subject: Submission on Serious Hate Speech and Racial Discrimination
Attachments: Document_2024-07-31_182601.pdf

Importance: High

Please accept my submission on the matter of Hate Speech and Vilification and its impact on individuals in, and the society in general in Australia. Below is a summary of the almost impossible task of countering the toxic influence of hate speech and vilification in NSW. Attached please find an outline of the effects of hate speech in any community. Some of the most terrible examples of hate speech and the outcomes such as (many more are available) the Rwanda Genocide, the 9 :11 attacks on the World Trade Centre, and more recently and locally, the shooting deaths of the two young Police Officers and a neighbour in Queensland.

My experience, which I am about to outline is emblematic of the rules, regulations and laws and the authorities in place to deal with the pernicious issue of hate speech / vilification in Australia.

In November 2023, following the events of 7 October in Israel, there was a series of speeches containing, by any definitions, hate and vilification directed at specific elements of the community in Australia. This prompted me to report one particular quite specific hate and vilification filled speech

This was not some person that lacks influence

with a vast array of followers. Therefore, I sought to bring this to the attention of Policing authorities responsible for enforcing the law.

Firstly, I attended a NSW Police Station and completed a formal complaint under the provisions of Section 93Z of the NSW Crimes Act. This was to lead nowhere as I was informed that the Police were not prepared to take action as the provisions of Section 93Z were not fit for purpose and it was their advice that any action was to fail.

Secondly, I submitted a formal complaint to the Federal Police on it official online complaint form and followed that up with an inquiry as to progress in the matter. I was again informed that the complaint could not be pursued as the Australian Federal Laws would not make any such case likely to succeed.

Thirdly, I lodged a complaint with the NSW Anti-Disrimination Board, which was accepted by the Board, but the ADNSW is toothless and cannot take any meaningful action and so I was referred by the ADNSW to the NSW NCAT.

I lodged the complaint with NSW NCAT and a hearing was scheduled. I attended the hearing, naïvely thinking that the hearing would consider my complaint. Wrong. The hearing was merely an administrative exercise setting out a series of steps which must be accommodated to reach the formal hearing stage. As I was representing myself, I was offered legal aid but my household income precluded me from this

assistance, however a legal aid solicitor contacted me and told me that I cannot expect to succeed or indeed manage the case without legal assistance including a Barrister. Further, I was advised that the people I was up against would not play fair and that I and my family may be subject to intimidation and threats. Shortly there after, I was contacted by another solicitor referred by a member of the Jewish community and he mirrored the advice I had been given by the legal aid solicitor. Not wishing to pursue a cause beyond my capacity and one that may place my family at risk; I withdrew my complaint with NCAT.

The legal provisions governing hate speech and vilification in the Australian federal sphere and NSW (setting aside the provisions in the other various states and territories) exist; namely the Racial Discrimination Act 1975, in NSW Section 474.17 of the Criminal Code, the Racial Hatred Act 1995, in NSW Section 20C and 20D of the Anti-Discrimination Act 1977 and more recently Section 93Z of the NSW Crimes Act 1900. So there you have it - the legal provisions to deal with hate speech and vilification have been legislated but it is clear that the enforcement authorities, the **Police at both federal and state levels are of the view that the laws governing Hate Speech and Vilification are not fit for purpose and so they will not attempt to enforce the laws.**

Yours truly

Ron Fox

Hate speech is a venomous discourse that targets individuals or groups based on their identity, has increasingly permeated various facets of society, including religious contexts. In Australia, where multiculturalism is celebrated, hate speech by religious leaders poses a significant threat to social cohesion and harmony. There are deleterious effects of hate speech by religious leaders on the Australian community by its role in promoting violence, fostering vilification, and perpetuating negativity.

Religious leaders hold significant sway over their followers, and when their rhetoric is infused with hate, it can prompt individuals or groups to engage in violent acts. History is replete with instances where hate speech from religious platforms has incited acts of terrorism, discrimination, and even genocide. In Australia, instances of religiously motivated violence, ranging from attacks on mosques to discrimination against minority groups, can be directly linked to inflammatory sermons or teachings by religious leaders. Such rhetoric not only endangers the safety of targeted communities but also undermines the fabric of trust and respect essential for a peaceful society.

Hate speech by religious leaders perpetuates vilification by portraying certain groups as inherently inferior,

dangerous, or unworthy. This vilification contributes to the marginalization and stigmatization of targeted communities, exacerbating social divisions and fuelling prejudice. In the Australian context, hate speech by religious figures often targets marginalized groups such as LGBTQ+ individuals, immigrants, or ethnic minorities, amplifying societal tensions and fostering a climate of fear and hostility. Moreover, when religious leaders use their platform to endorse discriminatory practices or policies, it legitimizes such behaviour within their followers, further entrenching prejudice and discrimination.

The pervasive nature of hate speech by religious leaders has far-reaching consequences for the Australian community. It erodes the principles of diversity and inclusion that underpin Australian society, replacing them with bigotry and intolerance. Moreover, hate speech creates a hostile environment where individuals feel unsafe and unwelcome, inhibiting their ability to fully participate in social, economic, and political life. Additionally, the normalization of hate speech contributes to the erosion of democratic values and undermines efforts to promote equality and human rights. Ultimately, the cumulative effect of hate speech

by religious leaders is a fractured society plagued by division, mistrust, and conflict.

Hate speech by religious leaders poses a grave threat to the Australian community, promoting violence, fostering vilification, and undermining social cohesion. Addressing this issue requires concerted efforts from religious institutions, policymakers, and civil society to condemn and counteract hate speech in all its forms. By promoting dialogue, education, and tolerance, Australia can build a more inclusive and resilient society that embraces diversity and rejects hate in all its manifestations.