

Committee on Law and Safety



LEGISLATIVE
ASSEMBLY

Measures to combat right-wing extremism in New South Wales: interim report



Report 4/58 – 6 February 2026

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The motto of the coat of arms for the state of New South Wales is "Orta recens quam pura nites". It is written in Latin and means "newly risen, how brightly you shine".

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Chair's foreword

I am pleased to present the interim report for the Committee on Law and Safety inquiry into measures to combat right-wing extremism in New South Wales. This interim report considers the Crimes and Summary Offences Amendment Bill 2025 and puts forward some considerations for Parliament when debating the Bill.

As lawmakers, it is our job to create laws that protect the people of this State. The neo-Nazi protest outside Parliament House in November last year shows our current laws have been failing to prevent right-wing extremists from mobilising and recruiting. That event was an abhorrent display of right-wing extremism.

The people of New South Wales should not be subjected to such displays of hate and should be protected from the harm that results from these displays. Division in our community along lines of race, religion or ethnicity has no place in New South Wales. Legislative change is required to address the worrying rise of right-wing extremism.

The Crimes and Summary Offences Amendment Bill 2025 is an important step in combatting right-wing extremism. The Committee has considered the Bill in the context of a broader inquiry into measures to combat right-wing extremism in New South Wales. This report is an interim report on the bill to inform Parliament in its debate but the Committee has not finished its work into this important issue. The Committee will continue to carefully consider the issue, along with potential solutions, in public submissions and in upcoming public hearings.

Edmond Atalla

Chair

Crimes and Summary Offences Amendment Bill 2025

Background

- 1.1 The Crimes and Summary Offences Amendment Bill 2025 ('the Bill') was introduced on 19 November 2025, following a neo-Nazi protest outside Parliament House on 8 November 2025. During that event, members of the National Socialist Network chanted a slogan associated with Hitler Youth and displayed a banner stating 'Abolish the Jewish Lobby'.¹
- 1.2 The event was widely condemned,² with Premier Chris Minns describing it as a 'shocking display of hatred and racism and anti-Semitism'.³ The Premier flagged the need to 'give police more legislated powers to stop this kind of naked racism and hatred on Sydney streets',⁴ and 'draw bigger, bolder, bright lines between hate speech and free speech'.⁵
- 1.3 The Bill was introduced in the Legislative Assembly on 19 November 2025. In his second reading speech, Attorney General Michael Daley stated that the event had 'highlighted the need to give police and courts greater powers to hold extremists who publicly express Nazi ideology to account'.⁶ Mr Daley said that the Bill complements existing legislation that protects against racial vilification and hatred but that recent events had demonstrated 'the need to expand the provision to capture additional conduct that seeks to circumvent the law while still invoking Nazi ideology'.⁷
- 1.4 Following the second reading speech, the Bill was referred to this committee for inquiry and report.⁸ On the same day, the Attorney General referred terms of reference to the committee to inquire into measures to combat right-wing extremism in New South Wales, including providing an interim report on the Bill by 6 February 2026 to allow the Bill to proceed.
- 1.5 The Committee adopted the inquiry into measures to combat right-wing extremism on 24 November 2025, resolving to hold the inquiry in two parts, with part 1 considering the Bill in an interim report. For the interim report, the

¹ L Leeming, New hate laws to catch the Nazis, *The Australian*, 11 November 2025.

² See, e.g: O Godsell, ['Un-Australian': Politicians from across the political spectrum condemn neo-Nazi march outside NSW Parliament](#), Sky News Australia 9 November 2025, viewed 28 February 2026.

³ A Lewis, [Police allowed neo-Nazi protest outside NSW parliament](#), ABC News, 8 November 2025, viewed 28 February 2026.

⁴ B Doherty, [Police need more powers to stop 'naked racism and hatred' after allowing Sydney neo-Nazi rally, premier says](#), *The Guardian Australia*, 8 November 2025, viewed 28 February 2026.

⁵ L Leeming, New hate laws to catch the Nazis, *The Australian*, 11 November 2025.

⁶ New South Wales, Legislative Assembly, [Second Reading Speech](#), 19 November 2025 (Michael Daley, Attorney General), p 21.

⁷ New South Wales, Legislative Assembly, [Second Reading Speech](#), 19 November 2025 (Michael Daley, Attorney General), p 21.

⁸ New South Wales, Legislative Assembly, [Votes and Proceedings No. 140](#), Wednesday 19 November 2025, p 4.

Committee obtained independent expert legal advice on constitutional aspects of the Bill. For part 2 of the inquiry, which is ongoing, the Committee has sought public submissions and will hold public hearings in February.

Overview of provisions

- 1.6 This section provides an overview of the provisions of the Bill, in particular the key offences in s 93ZA of the *Crimes Act 1900*, being the display of Nazi symbols and conduct supporting Nazi ideology.
- 1.7 The key provision of the Bill is Schedule 1, which would replace s 93ZA of the *Crimes Act 1900*. The Bill expands s 93ZA, replacing two existing offences of displaying Nazi symbols and introducing two additional offences of engaging in conduct supporting Nazi ideology.
- 1.8 Subsections (1) and (2), which relate to Nazi symbols, would replace the existing s 93ZA offences and are substantially the same. Under the Bill:
- (1) A person commits an offence if the person knowingly displays a Nazi symbol, by public act and without reasonable excuse, on or near a Jewish place.
 - (2) A person commits an offence if the person knowingly displays a Nazi symbol, by public act and without reasonable excuse, other than on or near a Jewish place.⁹
- 1.9 The penalties for these offences remain the same, with higher penalties for committing the offence near a Jewish place. The definition of 'Jewish place' in subsection (12) matches the terms in the existing provision. The only change to the existing provisions is the inclusion in the Bill of an example, being 'giving the Nazi salute'.
- 1.10 Subsections (3) and (4) introduce the offences of engaging in conduct associated with Nazi ideology. Subsection (3) is directed at conduct 'on or near a Jewish place' and contains higher penalties than subsection (4), which is directed at conduct that takes place other than on or near a Jewish place. Under subsection (3):
- 'A person commits an offence if –
- (a) the person knowingly engages in conduct, by public act and without reasonable excuse, on or near a Jewish place that indicates support for Nazi ideology by invoking imagery or characteristics that a reasonable person would consider to be associated with Nazi ideology, and
 - (b) the conduct would cause a reasonable person to –
 - (i) fear harassment, intimidation or violence, or

⁹ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], ss 93ZA(1);(2).

(ii) fear for the person's safety'.¹⁰

- 1.11 The Bill provides examples of the subsection (3) and (4) offences, such as, for subsection (3): 'reciting Nazi chants or using Nazi slogans near the Sydney Jewish Museum'.
- 1.12 Subsections (5) and (6) clarify that, for the purposes of the offences in subsections (1)-(4):
- 'the display of a swastika in connection with Buddhism, Hinduism or Jainism does not constitute the display of a Nazi symbol',¹¹ and
 - 'a reasonable excuse includes the display of a Nazi symbol or conduct done reasonably and in good faith –
 - (a) for an academic, artistic or educational purpose, or
 - (b) for another purpose in the public interest'.¹²
- 1.13 Subsections 93ZA(8)-(11) concern police directions in relation to Nazi symbols. Under subsection (8), a police officer who reasonably suspects a person is committing an offence of displaying a Nazi symbol may direct the person to remove the symbol from display.¹³ Subsection (9) sets out conditions for the police direction and subsection (10) creates an offence for non-compliance without reasonable excuse to such a direction.
- 1.14 In addition to the key offences relating to Nazi symbols and Nazi ideology, the Bill would also:
- Repeal s 93ZAC of the *Crimes Act 1900*, which is an automatic repeal of the offence of 'public incitement of hatred on ground of race' 3 years after its enactment (in August 2025).¹⁴
 - Amend the *Criminal Procedure Act 1986* so that the offences introduced in s 93ZA are indictable offences triable summarily.¹⁵
 - Specify that the maximum penalty for a s 93ZA offence dealt with summarily applies despite other legislation.¹⁶
 - Amend section 24 of the *Summary Offences Act 1988* to clarify that participation in an authorised assembly under s 23(1)(c) of that Act does not

¹⁰ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], s 93ZA(3).

¹¹ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], s 93ZA(5).

¹² [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], s 93ZA(6).

¹³ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], 93ZA(8).

¹⁴ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[1].

¹⁵ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 2.

¹⁶ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], s 93ZA(7).

exempt a person from another offence, including an offence related to the purpose of the assembly.¹⁷

Considerations for Parliament

- 1.15 This section focuses on the offences relating to the display of Nazi symbols and conduct associated with Nazi ideology (the s 93ZA offences). It notes aspects of the Bill that work to safeguard against potential legal challenge before setting out three areas of the Bill that Parliament could consider strengthening: purpose of the bill; specification; and causative elements. These matters are informed by independent legal advice obtained by the Committee on constitutional aspects of the Bill.
- 1.16 The Committee notes there is a risk that a person charged with an offence under the Bill may seek to challenge the validity of the legislation on the grounds that it infringes on the implied right to political communication under the Australian Constitution. It is particularly important to consider a potential challenge in this case as the Bill would replace the existing s 93ZA provision. This means a successful court challenge could create a legislative gap in relation to displaying Nazi symbols.
- 1.17 According to how the implied freedom of political communication has been interpreted, a law may only validly restrict political communication where it is reasonably 'appropriate and adapted' to achieve a legitimate objective. In determining the validity of a law, a court will consider to what extent there is a burden on political communication and for what purpose. If the purpose is legitimate, the court will consider the suitability or proportionality of the law in achieving that end.¹⁸
- 1.18 The Committee notes that the Bill already includes a number of elements that work to 'safeguard' the Bill against potential challenge. These include:
- Defences of reasonable excuse,
 - A reasonable person test,
 - Targeted scope, being the display of Nazi symbols or support for Nazi ideology, and
 - Examples of conduct that would constitute an offence under the s 93ZA offences (e.g. at s 93ZA(3) 'reciting Nazi chants or using Nazi slogans near the Sydney Jewish Museum').
- 1.19 In subsections 93ZA(1)-(4), a person only commits an offence if they do so 'knowingly ... and without reasonable excuse'. The Bill also specifies that the display of a swastika in connection with Buddhism, Hinduism or Jainism does not constitute the display of a Nazi symbol.¹⁹ Further, the Bill exempts displays or

¹⁷ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 2.

¹⁸ *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520. See also: *McCloy v New South Wales* (2015) 257 CLR 178; *Ravbar v Commonwealth* (2025) 423 ALR 241; *Babet v Commonwealth* (2025) 423 ALR 83.

¹⁹ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], s 93ZA(5).

conduct that are 'done reasonably and in good faith' if they are for an academic, artistic or educational purpose, or other purpose in the public interest.²⁰

- 1.20 The offences relating to Nazi ideology (ss 93ZA(3) and (4)) include an additional safeguard – a reasonable person test. For these offences, a person only commits an offence if 'the conduct would cause a reasonable person to fear harassment, intimidation or violence, or fear for the person's safety'.²¹

Purpose of the Bill

- 1.21 The Committee supports the purpose of the Bill as set out in the Attorney General's second reading speech. It is our view that this is an important and legitimate purpose, and one which would justify any burden imposed on the implied freedom of political communication.
- 1.22 Referring to the 8 November protest, the Attorney General noted: 'It is clear that Nazi references and imagery were being used to convey messages of antisemitism, hatred and intimidation' and that 'this kind of activity undermines the values that hold our State together, including decency, tolerance, trust and mutual respect'.²²
- 1.23 However, the Committee is of the view that anything that could further assist a court in determining the purpose of the Bill would be helpful. In a court challenge, consideration of the purpose of a law is a necessary step in determining whether the law is reasonably appropriate and adapted to achieve its aim.
- 1.24 The Committee considers, therefore, that the Bill could benefit from the addition of an express purpose clause setting out explicitly what harms the Bill seeks to prevent. Such a clause could assist a court in determining the purpose of the Bill and its legitimacy by clarifying the legislature's intention. An express purpose clause included in the text of the Bill would also be afforded more weight by a court than a second reading speech, as it indicates the intention of the legislature as a whole.²³ On a practical note, as the second reading speech has already been given, an express purpose clause is the only opportunity to further clarify the purpose of the Bill for statutory interpretation.
- 1.25 By way of example, the Committee highlights Division 4C of the *Summary Offences Act 1966 (VIC)*. Division 4C 'Public display or performance of Nazi symbols or gestures' begins with an extensive statement acknowledging the harm of certain Nazi symbols:

[T]he Hakenkreuz is a symbol of antisemitism and hatred and of an ideology fundamentally incompatible with Victoria's multicultural, multiethnic and democratic society.

²⁰ [Crimes and Summary Offences Amendment Bill 2025](#), First Print, Schedule 1[2], s 93ZA(6).

²¹ [Crimes and Summary Offences Amendment Bill 2025](#), Schedule 1[2], ss 93ZA(3)(b), (4)(b).

²² New South Wales, Legislative Assembly, [Second Reading Speech](#), 19 November 2025 (Michael Daley, Attorney General).

²³ [Interpretation Act 1901 \(Cth\)](#), ss 15AA; AB; [Interpretation Act 1987 \(NSW\)](#), ss 33; 34.

...

As with the Hakenkreuz, the Nazi salute and these other symbols and gestures used by the Nazi Party have no place in Victoria and cause harm to many Victorian communities.²⁴

Specification

- 1.26 Another area Parliament may consider strengthening the Bill is consideration of definitions for key terms. Defining key terms with some level of specificity will help ensure the Bill is not too ambiguous or broad in its operation.
- 1.27 One way the Bill could provide some clarity would be to include examples or non-exhaustive lists of Nazi symbols and Nazi ideology. Another option Parliament could consider is defining the terms in cascading definitions. Cascading definitions for terms 'Nazi symbol' and 'Nazi ideology' would include specifying particular Nazi symbols or ideologies in earlier sections, followed by broader descriptors of those terms in later sections, creating a cascade.
- 1.28 Cascading definitions can be particularly advantageous as it would be open to a court to 'sever' any definitions it considered to be too broad, without striking down the whole provision.
- 1.29 Again, by way of example, the Committee notes the Victorian *Summary Offences Act 1966 (VIC)*. In the Victorian legislation, the terms 'Nazi gesture', 'Nazi Party' and 'Nazi symbol' are defined using specific examples.²⁵ For example, the term 'Nazi symbol' is defined in a cascading definition as follows:

'Nazi symbol means-

- (a) a Hakenkreuz, being a symbol of a cross with the arms bent at right angles in a clockwise direction; or
- (ab) any other symbol used by the Nazi Party; or
- (b) a symbol that so nearly resembles a symbol referred to in paragraph (a) or (ab) that it is likely to be confused with or mistaken for that symbol;

Example

A cross with the arms bent at right angles in a counter clockwise direction'.²⁶

- 1.30 Similarly and by way of example, the Commonwealth Criminal Code provides:

'Each of the following is a ***prohibited Nazi symbol***:

- (a) the Nazi hakenkreuz;

²⁴ [Summary Offences Act 1966 \(Vic\)](#), Division 4C, s 41I.

²⁵ [Summary Offences Act 1966 \(Vic\)](#), Division 4C, s41J.

²⁶ [Summary Offences Act 1966 \(Vic\)](#), Division 4C, s41J.

- (b) the Nazi double–sig rune;
- (c) something that so nearly resembles a thing to which paragraph (a) or (b) applies that it is likely to be confused with, or mistaken for, that thing'.²⁷

Causative elements

- 1.31 The final consideration this Committee puts forward for Parliament is the possible inclusion of causative elements for the offences of displaying a Nazi symbol.
- 1.32 The offences of displaying a Nazi symbol (ss 93ZA(1) and (2)) do not contain causative elements. Under these provisions, a person commits an offence by knowingly displaying a Nazi symbol, by public act and without reasonable excuse. Unlike for the offences relating to Nazi ideology, the offences relating to Nazi symbols do not require that a reasonable person would fear harassment, intimidation or violence.
- 1.33 This could be because the display of Nazi symbols is considered to be so harmful and divisive that the inclusion of a causative element would be redundant. If this is the case, clarification or explanation of this within the Bill could strengthen these provisions.
- 1.34 The express purpose statement in the Victorian *Summary Offences Act 1966 (VIC)* is again informative. It states, for example: 'the Hakenkreuz is a symbol of antisemitism and hatred and of an ideology fundamentally incompatible with Victoria's multicultural, multiethnic and democratic society'.²⁸
- 1.35 Parliament may therefore wish to consider the inclusion of causative elements for Nazi symbol offences or, alternatively, the Bill could clarify why causative elements are not required.

Conclusion

- 1.36 The Committee strongly supports the Crimes and Summary Offences Amendment Bill 2025 as a key measure to combat right-wing extremism in New South Wales. At the same time, the Committee acknowledges the risk of constitutional challenge to any law that may restrict the implied freedom of political communication.
- 1.37 While the Bill contains a number of elements that could help to safeguard it from a potential challenge, Parliament should consider the issues raised by the Committee above as it proceeds to debate the Bill.

²⁷ [Criminal Code Act 1995 \(Cth\)](#), Volume 1, Schedule – The Criminal Code, Chapter 5, Division 80, Subdivision CA s 80.2E.

²⁸ [Summary Offences Act 1966 \(Vic\)](#), Division 4C, s 41I.

Appendix One – Terms of reference

That the Committee on Law and Safety inquire into and report on:

- 1) The Crimes and Summary Offences Amendment Bill 2025, in particular on constitutional aspects of the bill.
- 2) Measures to combat right-wing extremism in New South Wales, with particular reference to:
 - a) The threat that right-wing extremist movements and organisations in New South Wales pose to the community and impact that they have on particular members in the community, including those they seek to recruit;
 - b) Australian and international examples of best practice to combat right-wing extremism;
 - c) Methods and practices the Government might adopt to combat right-wing extremism, including:
 - i) Community building programs
 - ii) Deradicalisation programs
 - iii) Any other mechanisms the Committee considers appropriate;
 - d) Existing offences and powers in both New South Wales and Commonwealth legislation;
 - e) Any other related matters.

That the Committee prepares an interim report on the constitutional aspects of the Crimes and Summary Offences Amendment Bill 2025 by 6 February 2026 and a report on measures to combat right-wing extremism by 23 April 2026.

Appendix Two – Extracts from minutes

MINUTES OF MEETING 18

8:36 am, 24 November 2025

Macquarie Room and videoconference

Members present

In person: Mr Atalla (Chair), Dr McDermott (Deputy Chair), Mr Toole.

By videoconference: Mr Donato, Ms Stuart and Mr Vo.

Apologies

Adjunct Professor Smith.

Officers present

Helen Minnican, Monica Loftus, Kate McCorquodale, Kieran Lewis, Patrick Glynn, Elizabeth Hawken, Ilana Chaffey, Hugh Duffield, and Nicolle Gill.

1. Confirmation of minutes

Resolved on the motion of Mr Vo: That the minutes of the meeting of 22 September 2025 be confirmed.

2. ***

3. Inquiry into measures to combat right-wing extremism in New South Wales

The Chair introduced secretariat staff who will be managing the inquiry.

3.1 Terms of reference

The Committee noted the following extract from the Legislative Assembly Votes and Proceedings No. 140, Wednesday 19 November 2025:

"SUSPENSION OF STANDING AND SESSIONAL ORDERS – CRIMES AND SUMMARY OFFENCES AMENDMENT BILL 2025

Mr Ron Hoenig moved, That standing and sessional orders be suspended to provide that upon the conclusion of the Attorney's second reading speech, the Crimes and Summary Offences Amendment Bill 2025 stand referred forthwith to the Legislative Assembly's Committee on Law and Safety for inquiry and report.

Question put and passed.

...

CRIMES AND SUMMARY OFFENCES AMENDMENT BILL 2025

Mr Michael Daley moved, pursuant to notice given this day, That a bill be introduced for an Act to amend the Crimes Act 1900 in relation to displaying Nazi symbols and engaging in

conduct that indicates support for Nazi ideology; to amend the Summary Offences Act 1988 in relation to public assemblies; and for related purposes.

Question put and passed.

Bill introduced and read a first time.

Mr Michael Daley moved, That this bill be now read a second time.

Mr Michael Daley gave the mover's second reading speech.

In accordance with the resolution of the House of this day bill stands referred to the Legislative Assembly Committee on Law and Safety for inquiry and report."

The Committee also noted correspondence from the Hon Michael Daley MP, Attorney General, requesting the committee inquire into and report on the measures proposed in the Crimes and Summary Offences Amendment Bill 2025 and measures to combat right-wing extremism in New South Wales, and attaching proposed terms of reference:

"That the Standing Committee on Law and Safety inquire into and report on the Crimes and Summary Offences Amendment Bill 2025. The Committee is asked to provide an interim report by 6 February 2026 to allow the Bill to proceed.

The Standing Committee on Law and Safety also inquire into measures to combat right wing extremism in New South Wales, with particular reference to:

- a) The threat that right wing extremist movements and organisations in New South Wales pose to the community and impact that they have on particular members in the community, including those they seek to recruit;
- b) Australian and international examples of best practice to combat right wing extremism;
- c) Methods and practices the Government might adopt to combat right wing extremism, including:
 - a. Community building programs
 - b. Deradicalisation programs
 - c. Any other mechanisms the committee considers appropriate;
- d) Existing offences and powers in both New South Wales and Commonwealth legislation.
- e) Any other related matters.

The Committee is asked to provide its final report by mid April 2026."

Discussion ensued.

Resolved, on the motion of Dr McDermott, seconded Mr Vo:

- That the Committee on Law and Safety inquire into and report on:
 1. The Crimes and Summary Offences Amendment Bill 2025, in particular on constitutional aspects of the bill.
 2. Measures to combat right-wing extremism in New South Wales, with particular reference to:
 - a) The threat that right-wing extremist movements and organisations in New South Wales pose to the community and impact that they have on particular members in the community, including those they seek to recruit;
 - b) Australian and international examples of best practice to combat right-wing extremism;
 - c) Methods and practices the Government might adopt to combat right-wing extremism, including:
 - i. Community building programs
 - ii. Deradicalisation programs
 - iii. Any other mechanisms the committee considers appropriate;
 - d) Existing offences and powers in both New South Wales and Commonwealth legislation;
 - e) Any other related matters.
- That the Committee prepares an interim report on the constitutional aspects of the Crimes and Summary Offences Amendment Bill 2025 by 6 February 2026 and a report on measures to combat right-wing extremism by 23 April 2026.
- That the Chair writes to the Hon Michael Daley, Attorney General to acknowledge the correspondence and inform him that the Committee has adopted the terms of reference.

3.2 Inquiry work plan

The Committee considered a potential work plan for completing the two parts of the inquiry.

Part 1

Part 1 will consist of consideration of constitutional issues of the bill, including any possible amendments to the bill.

Request legal advice	December 2025
Committee to consider legal advice, with input from small number of constitutional law experts	January 2026
Report deliberative	End Jan or start Feb 2026
Report tabling	Fri 6 February 2026

Part 2

Submissions from stakeholders	Due 3 February 2026
Public hearing/s	February 2026
Report deliberative	Mon 20 April 2026
Report tabling	Thurs 23 April 2026

Resolved, on the motion of Dr McDermott, seconded Ms Stuart:

- That the Committee conducts the inquiry in two separate parts, with part 1 considering the bill, focusing on constitutional issues, and part 2 considering measures to combat right-wing extremism.
- That the Committee advertise the inquiry on the Committee's webpage and that the secretariat is authorised to publish a note advising stakeholders on the parts of the inquiry, with the Chair to approve the wording.

3.3 Inquiry part 1

Resolved, on the motion of Mr Donato, seconded Dr McDermott:

- That the Clerk obtain independent legal advice from senior counsel on behalf of the Committee on constitutional aspects of the bill, with particular reference to the constitutional validity of the bill and potential amendments.
- That the Chair and Clerk of the Legislative Assembly compile a further list of up to 3 constitutional experts to consult on the bill.

3.4 Inquiry part 2 – submissions

Resolved, on the motion of Ms Stuart, seconded Mr Donato: That, for part 2 of the inquiry, the Committee is to call for submissions from stakeholders by Tuesday 3 February 2026. The Chair is to circulate a list of draft stakeholders by the end of the week with additional stakeholders to be agreed to by email.

4. Next meeting

The meeting adjourned at 2.12 pm until a date and time to be confirmed.

MINUTES OF MEETING 20

12:33 pm, 13 January 2026

Room 814, Room 1254 and videoconference

Members present

In person: Mr Atalla (Chair), Dr McDermott (Deputy Chair),

By videoconference: Adjunct Professor Smith, Mr Donato, Ms Stuart, Mr Toole and Mr Vo.

Officers present

Helen Minnican, Sam Griffith, Kate McCorquodale, Carly McKenna, Natasha Moir, Naomi Parkinson and Art Bae.

1. Confirmation of minutes

Resolved, on the motion of Mr Vo, seconded by Dr McDermott: That the minutes of the meetings of 24 November and 22 December 2025 be confirmed.

2. ***

3. Inquiry into measures to combat right-wing extremism in NSW

3.1 Inquiry correspondence

The Committee noted the following correspondence sent:

- Letter, from the Chair to the Attorney General, dated 28 November 2025, informing the Attorney General the Committee has adopted terms of reference for the inquiry into measures to combat right-wing extremism.

4. Inquiry into measures to combat right-wing extremism in NSW and Inquiry into measures to prohibit slogans that incite hatred

4.1 Briefing

Resolved, on the motion Dr McDermott, seconded by Mr Vo: That the Committee agree to admit the following to brief the Committee:

- Mr Stephen Lloyd Senior Counsel 6 Selbourne Wentworth Chambers,
- Mr Matt Sherman Barrister 6 Selbourne Wentworth Chambers,
- Mr Mark Smyth Partner Herbert Smith Freehills Kramer, and
- Mr Thomas McClintock Senior Associate Herbert Smith Freehills Kramer.

Mr Stephen Lloyd SC, Mr Matt Sherman, Mr Mark Smyth, and Mr Thomas McClintock were admitted to the meeting at 2.04pm and provided a briefing to the Committee via videoconference.

Mr Stephen Lloyd SC, Mr Matt Sherman, Mr Mark Smyth, and Mr Thomas McClintock left the meeting at 3.18pm.

5. Inquiry into measures to combat right-wing extremism in NSW

5.1 Access to written legal advice

The Committee noted that the written advice from Senior Counsel will be finalised shortly and will be available for members of the Committee to view confidentially in the Clerk's office.

5.2 Interim report

The Committee noted that, given the short deadline for the interim report, the Chair's draft report will be circulated on 3 or 4 February, ahead of the report deliberative on Thursday 5 February.

6. Summary of legal advice

Resolved on the motion of Ms Stuart, seconded by Dr McDermott: That the Clerk, on behalf of the Committee, request Senior Counsel provide a written summary of their final legal advice for consideration for use in the report on the inquiry into measures to prohibit slogans that incite hatred and the interim report for the inquiry into measures to combat right-wing extremism in NSW.

7. ***

8. Next meeting

The meeting adjourned at 3.33pm until 29 January 2026.

MINUTES OF MEETING 22

1:30 pm, 5 February 2026

Room 1254

MEMBERS PRESENT

Mr Atalla (**Chair**), Dr McDermott (**Deputy Chair**), Adjunct Professor Smith, Ms Stuart, Mr Toole and Mr Vo.

Apologies

Mr Donato.

Officers present

Helen Minnican, Sam Griffith, Monica Loftus, Kate McCorquodale, Jerson Balaton, Joan Douce, Naomi Parkinson, and Art Bae.

1. Confirmation of minutes

Resolved, on the motion of Adjunct Professor Smith, seconded by Dr McDermott: That the minutes of the meeting of 29 January 2026 be confirmed.

2. Inquiry into measures to combat right-wing extremism in NSW

2.1 Resolution permitting recording of video meeting

Resolved, on the motion of Dr McDermott, seconded by Ms Stuart: That the Committee agrees to record the meeting for the purposes of Committee staff preparing the minutes and report amendments, and that the recording be deleted once the report is tabled.

2.2 Independent Legal Advice

Resolved, on the motion of Mr Vo, seconded by Mr Toole: That the Committee notes the independent legal advice from Senior Counsel, dated 21 January 2026, in the custody of the Clerk.

2.3 Consideration of Chair's draft interim report

The Committee considered the Chair's draft report, which was circulated on 2 February 2026.

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That the Committee agrees to consider the Chair's draft report in globo.

Discussion ensued.

Resolved, on the motion of Ms Stuart, seconded by Mr Vo:

1. That the draft report be the report of the Committee and that it be signed by the Chair and presented to the House.
2. That the Chair and Committee staff be permitted to correct stylistic, typographical and grammatical errors.
3. That, once tabled, the report be posted on the Committee's webpage.
4. That the Chair issue a media release announcing the tabling of the Committee's report.

2.4 Correspondence – report tabling

Resolved, on the motion of Dr McDermott, seconded by Mr Toole: That, once the interim report has been tabled, the Chair write to the Attorney General and Premier advising them of the tabling of the interim report.

2.5 Briefing - Attorney General's Office

Resolved, on the motion of Mr Vo, seconded by Dr McDermott: That the Chair and secretariat be authorised to meet with representatives from the Attorney General's Office to brief them on the contents of the interim report later this day.

2.6 Submissions - accepting and publishing

Resolved, on the motion of Adjunct Professor Smith, seconded by Ms Stuart:

- That the Committee accept and publish submissions 2-5, 7-8, 11, 13-18 and 20-30 in full, with names and contact details redacted.
- That the Committee accept and keep confidential submissions 1, 6, 9-10, 12 and 19.

Resolved, on the motion of Dr McDermott, seconded by Mr Vo:

- That the Committee not accept as submissions but instead treat as confidential correspondence, 6 additional submissions listed in the confidential attachment for members.

2.7 Submissions - extension requests

Resolved, on the motion of Mr Toole, seconded by Dr McDermott: That the Committee note and accept the extension of time granted to the organisations and individuals as attached.

2.8 Hearing witnesses

Resolved, on the motion of Mr Vo, seconded by Ms Stuart:

- That the Committee invite the witnesses as attached to the public hearings on 18 and 19 February 2026.
- That Committee members have until 5pm Monday 9 February 2026 to email additional witnesses to the secretariat for the Chair's approval.

3. Next Meeting

The meeting adjourned at 1.46 pm until Wednesday 18 February 2026 at a time to be confirmed (public hearing for the inquiry into measures to combat right-wing extremism in NSW).