

Review of the Exposure Draft Legislation: Combatting Antisemitism, Hate and Extremism Bill 2026

Submission from FECCA

January 2026



FECCA pays its respects to Aboriginal and Torres Strait Islander Elders past and present and recognise the land we live and work upon was never ceded. FECCA proudly supports the Uluru Statement from the Heart.

FECCA acknowledges that our work on behalf of multicultural Australia has learnt from and been enriched by First Nations peoples and organisations. We are committed to continuing to listen, learn and support First Nations peoples in the journey to a more inclusive society

Who we are

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing people from culturally and linguistically diverse (CALD) communities and their organisations across Australia. Through the membership of state, territory and regional ethnic communities' councils and their networks, FECCA represents the interests of more than 1,500 multicultural community organisations nationwide.

FECCA provides a collective national voice on issues affecting Australia's multicultural communities, including migration, settlement, workforce participation, skills recognition, human rights, social cohesion and equity.

What we do

For over 40 years, FECCA has worked in partnership with culturally and linguistically diverse communities, governments and stakeholders to support a successful, productive and inclusive multicultural Australia. FECCA draws on lived experience, community-level evidence and policy expertise to develop and promote inclusive, evidence-based public policy that reflects the realities and contributions of multicultural Australia and is grounded in a human-rights-based approach.

FECCA strives to ensure that the needs and aspirations of Australians from diverse cultural and linguistic backgrounds are given proper recognition in public policy. We work to promote fairness and responsiveness to our constituency in the delivery and design of government policies and programs. We promote multiculturalism as a core value that defines what it means to be Australian in the 21st century and as essential to a socially cohesive democracy.

Foreword

FECCA welcomes the opportunity to comment on the Combatting Antisemitism, Hate and Extremism Bill 2026. As the national peak body representing culturally and linguistically diverse (CALD) communities across Australia, FECCA is committed to building a strong, inclusive, and socially cohesive multicultural nation. Our positions are grounded in principles articulated in FECCA's previous submissions, including our Submission to the Multicultural Framework Review, which emphasises a human-rights-based approach, inclusion, meaningful community engagement, strong social cohesion, and protection from racism and discrimination as mutually reinforcing objectives.

Antisemitism is fundamentally a form of racism: entrenched prejudice and discrimination directed at Jewish people because of their identity. This must be addressed within a broader human-rights based anti-racism framework. At the same time, any national approach to racism must acknowledge that racism in Australia is rooted in the history and ongoing impacts of settler colonisation on Aboriginal and Torres Strait Islander peoples. FECCA acknowledges Aboriginal and Torres Strait Islander peoples as the First Nations of Australia, whose ongoing experiences of racism, dispossession and structural exclusion form the foundational context in which contemporary debates about hate, extremism and social cohesion must be understood.

Our submission therefore draws on extensive evidence from FECCA's national consultations for the Anti-Racism Framework (2023–24),¹ which engaged over 860 participants across 44 consultations and produced the most comprehensive contemporary dataset of racism experiences in multicultural Australia.

FECCA recognises that antisemitism, racial hatred, and violent extremism pose serious threats to community safety and social cohesion. Addressing these threats effectively requires responses that both protect communities from harm and uphold democratic rights, including freedom of expression and lawful dissent as core democratic safeguards. We joined forces with ten multicultural

¹ Muralidharan, P., Hosseini, Y. and Arashiro, Z (2024). An Anti-Racism Framework: Experiences and Perspectives of Multicultural Australia. Report on the national community consultations, commissioned by the Australian Human Rights Commission. Canberra, ACT: Federation of Ethnic Communities' Councils of Australia. Access online [here](#).

peak bodies from around the country to issue a [joint message](#) calling for unity, respect and action, in response to the antisemitic attack at Bondi Beach on Sunday 14 December 2025.

Overall, we support strong measures to protect Australians from harm. Our submission takes a considered position on the Bill overall, while outlining several key concerns and areas where clarity, safeguards, and stronger human-rights based protections are needed to avoid unintended negative impacts on multicultural communities and to preserve trust in democratic institutions. FECCA strongly supports the development of a National Anti-Racism Framework and urges that this Bill be understood and implemented within that broader national architecture.

For inquiries, please contact FECCA CEO Mary Ann Baquero Geronimo at ceo@fecca.org.au or on (02) 6282 5755.

Overarching Comments

Support for efforts to combat hate and extremism

FECCA affirms the importance of a national commitment to ensuring all communities can live free from racism, discrimination, violence, and intimidation. This reflects FECCA's long-standing advocacy for a National Anti-Racism Framework ²and a human-rights-based approach that centres prevention, participation and protection, alongside enforcement rather than relying on punitive responses alone.³

We acknowledge that the Bill seeks to address serious harms, including antisemitism, racially motivated hate crimes and extremist activity. These objectives align with FECCA's overarching commitment to strengthening social cohesion by ensuring safety while preserving trust, fairness and equal treatment under the law for all communities.

FECCA does not provide commentary on the firearms-related provisions contained in this Bill. Our mandate and expertise relate to multicultural affairs, anti-racism, social cohesion and the lived experiences of culturally and linguistically diverse communities. The inclusion of gun-reform measures within the same legislative package as antisemitism, hate crime and extremism reforms creates unnecessary complexity and risks conflating two distinct policy domains that require separate analysis and stakeholder engagement.

A Holistic, Human-Rights-Based Approach Is Needed

FECCA's extensive consultations confirm that racism and hate are systemic, not isolated incidents often emerging across institutions including schools, workplaces, police and healthcare.

To be effective, legislation targeting hate and extremism must be accompanied by:

- structural reforms
- education
- genuine community-centred and co-designed policy design
- safe reporting mechanisms
- investment in anti-racism strategies
- strong human-rights protections

Law enforcement measures alone are insufficient to address the root causes of hate and extremism, and risk undermining social cohesion if not embedded within a broader human-rights and prevention framework, that prioritises participation, transparency and accountability.⁴

² Australian Human Rights Commission, The National Anti-Racism Framework: A roadmap to eliminating racism in Australia (Report, November 2024). Access online [here](#).

³ FECCA 2024-2025 Pre-Budget Submission. Access online [here](#).

⁴ Governments' response to antisemitism and antisemitic Bondi attack must ensure human rights are upheld - Amnesty International Australia

Timelines of Review

The consultation period of this Bill was notably extremely short, limiting the capacity of multicultural communities, community organisations and representative bodies to meaningfully engage with its complex provisions and to provide informed, evidence-based feedback. FECCA's normal consultation process involves widespread community-based input, which were impossible to conduct in the 48hr timeframe of this Review.

FECCA's national consultations on racism consistently demonstrated that CALD communities require time, in-language information and culturally safe processes to understand legislative proposals and articulate their impacts.

A compressed timeframe risks excluding the very communities most affected by hate, discrimination, particularly those who already experience systemic barriers to participation. Without adequate consultation, legislation of this scale may unintentionally replicate or reinforce the inequities it seeks to address and weaken community confidence in public institutions.

FECCA therefore emphasises that a more robust and inclusive consultation process is essential to ensuring the Bill is effective, proportionate and aligned with the needs and rights of Australia's multicultural population.

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Key Concerns and Recommendations

1. Human-Rights Safeguards and Procedural Fairness

FECCA has consistently advocated that national multicultural policy must be grounded in human rights. While the Bill's intent to deter and punish hate-based conduct is welcome, FECCA is concerned that several provisions lack the safeguards necessary to maintain trust, proportionality, transparency, and to protect lawful expression and civil participation in a democratic society. These include ministerial powers to list prohibited hate groups without procedural fairness, strict liability offences that risk penalising individuals who lack harmful intent, and evidentiary burdens that fall disproportionately on defendants.

These provisions risk undermining trust in institutions already identified in FECCA's anti-racism consultations as lacking cultural safety particularly across police and justice systems. In previous consultations we have conducted on the subject, participants have described pervasive experiences of institutional racism and dismissiveness when reporting racism.

FECCA's nationwide consultations reveal a consistent pattern of institutional racism, particularly in policing and justice systems, where participants reported being dismissed, disbelieved or treated unfairly when interacting with authorities. This lived experience underscores the critical need for robust oversight and rights protections whenever new legal powers are created.

Accordingly, FECCA recommends that any decision-making powers under the Bill be subject to clear procedural fairness standards, including the right to respond, transparent criteria, and independent oversight.

The exercise of powers should be guided by a legislated requirement that they be compatible with human rights principles and proportionate to the risks they seek to address. These powers should also explicitly safeguard lawful, non-violent political expression, protest and advocacy, which are essential to a healthy democratic society and must not be conflated with hate or extremism.

2. Mitigating Disproportionate Impacts on CALD Communities

FECCA's consultation participants repeatedly described experiences of racial profiling, heightened surveillance and discriminatory assumptions, including in routine interactions with police, schools, health services and workplaces. Emerging reports from community organisations and advocacy groups also document an increase in collective backlash and hate crime against racialised communities in the aftermath of the Bondi attack.⁵ These reports and findings demonstrate that expanding policing or intelligence powers without appropriate protections carries a real risk of magnifying existing inequities.

The Bill's broad definitions of extremist conduct and hate symbols also raise the possibility that cultural, religious or political expressions (particularly when conveyed in languages other than English) may be misunderstood or misinterpreted by authorities, without being situated in their relevant historical and cultural contexts.

⁵ [From Brisbane to Bondi Beach: Islamophobia out in the open - AMUST](#)

For these reasons, FECCA recommends that implementation of the Bill be informed by an assessment of potential disproportionate impacts on CALD communities, and that operational guidelines be co-designed with multicultural communities to ensure clarity, cultural safety and non-discrimination.

Enforcement activities should be carefully monitored to ensure they do not target communities on the basis of cultural markers, religious observance, migration status or linguistic difference. It should also ensure that non-violent expressions of dissent grounded in human rights principles, and which are inherent to the functioning of any healthy democratic society - are protected, as opposed to being conflated as hate or extremism. A transparent, culturally informed implementation framework is critical to safeguarding social cohesion.

3. Migration-Related Implications

The Bill's migration provisions enable visa cancellation or refusal on the basis of public statements or reasonable suspicion of involvement in hate-related conduct. This raises the risk of discriminatory or inconsistent decision-making with severe and lasting consequences.

FECCA has long advocated for a migration system that is fair, transparent and designed to promote cohesion and trust among multicultural communities. Many participants in the Anti-Racism Framework consultations described experiencing prejudice in official systems, power imbalances in government interactions and anxiety about how their words or actions might be interpreted.

FECCA therefore recommends that migration-related powers under the Bill be subject to clear, high-threshold evidentiary standards, supported by linguistic and cultural expertise when assessing statements made in other languages or cultural contexts.

Full avenues of review and appeal must be available, with decision-makers required to demonstrate how determinations were reached. Without these safeguards, there is a heightened risk that migration powers could be exercised unevenly or unfairly, undermining social cohesion and community trust.

4. Alignment with the National Anti-Racism Framework

The Anti-Racism Framework consultations reveal that communities overwhelmingly view racism as systemic, deeply embedded in institutions and fuelled by unequal structures, harmful narratives and historical inequities. They also emphasised that addressing racism requires a holistic, government-led strategy encompassing education, media accountability, anti-racism training, safe reporting mechanisms and improved representation across sectors. Any legislative response to hate and extremism should therefore be situated within this broader, structural approach so that it addresses the root causes of racism and does not inadvertently reinforce them.

As part of this broader information and communication environment, social media also plays a constructive role in countering racism, including antisemitism. While social media can disseminate harmful content, it also enables marginalised communities to speak in their own voices, increases public understanding of racism, and provides a platform for rapid collective mobilisation. As seen after the Bondi Beach incident, online networks enabled swift community response and solidarity. FECCA welcomes recent steps by the Government to reduce harmful social media content, and emphasises that when these platforms are used responsibly, they can foster education, inclusion and community resilience against hate.

This wider context further underscores the importance of considering the Bill within the development and implementation of the National Anti-Racism Framework. This framework must include measures to educate communities in-language about their rights and responsibilities, strengthen anti-racism capability in law enforcement and public institutions, and incorporate lived experience and community leadership at all stages of policy design and implementation.

Situating the Bill within this coherent, intersectional national strategy will help ensure that legislative action is paired with preventive and structural reforms that address the root causes of hate and violence.

5. Strengthening Social Cohesion

FECCA's broader advocacy including the Multicultural Framework Review emphasises that social cohesion is built through inclusive policy design. This includes difficult conversations with multicultural communities and broader communities as well, conducted respectfully and transparently. The imperative of difficult conversations also includes government's resolve to hear the concerns and grievances of negatively racialised and marginalised communities. These discussions need sustained investment and capacity building across multicultural organisations and community leadership.

Legislation that expands state powers can strengthen cohesion only if communities feel protected rather than targeted. FECCA's consultations show that many CALD Australians currently do not experience institutions as culturally safe or responsive; some feel over-scrutinised, while others report discrimination that diminishes their trust in authorities.

For this reason, FECCA recommends that implementation of the Bill be supported by a strong focus on community engagement, transparent public reporting and culturally informed communication.

Communities should be actively consulted in ongoing monitoring of the Bill's impacts, and enforcement agencies should report publicly on outcomes to maintain confidence and accountability. Approaching the Bill in this way will help build the trust and cooperation that are essential to a cohesive, inclusive society.

Conclusion

FECCA supports the intention behind the Combatting Antisemitism, Hate and Extremism Bill 2026, recognising that antisemitism, racism and extremist violence threaten the safety and wellbeing of all communities. However, the Bill must be framed and implemented within a broader human-rights-based, community-centred and social-cohesion-focused strategy in order to avoid unintended harms and to strengthen rather than undermine social cohesion.

Considering the Bill within the National Anti-Racism Framework alongside strong procedural safeguards, explicit protection of lawful dissent, culturally informed implementation and sustained community engagement will ensure that Australia responds effectively to hate and extremism while upholding the values of fairness, equity and inclusion that underpin a successful multicultural society.

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