

Free Speech, Protest & the Proposed Federal Hate Speech Laws (Australia – 2026)

Purpose: A plain language guide for protesters, advocates and the public on what speech is lawful now, what may become unlawful if the proposed federal hate speech bill passes, and how to protest in support of international law safely.

What Is Lawful Right Now

- Peaceful protest supporting international law, human rights, ceasefires, UN resolutions and treaties.
- Strong criticism of governments, states, ideologies or political movements (foreign or domestic).
- Emotional language expressing anger, grief or outrage, provided it does not target a protected group as such.
- Academic, legal, journalistic and religious discussion, including quoting texts in context.
- Calling for lawful political action: sanctions, investigations, prosecutions, votes, boycotts.

What the Proposed Bill Would Change

- Creates a new federal criminal offence for **inciting hatred, intimidation or harassment** against a group.
- Speech does not need to incite violence — fostering hatred alone may be enough.
- Focus is on **intent or recklessness** in causing hatred toward a protected group.
- Allows government listing of prohibited hate groups; supporting them becomes an offence.

Language That Could Become Unlawful

- Statements portraying a racial or ethnic group as inherently evil, dangerous or subhuman.
- Calls to exclude, expel, punish or collectively blame a group based on identity.
- Protest chants or signage designed to provoke hatred toward a people rather than critique a state or policy.
- Repeated messaging aimed at stirring hostility or fear of a group.

What Remains Lawful (Even If the Bill Passes)

- Criticism of governments, military actions, laws or international conduct.
- Advocacy for international law, war crimes investigations and accountability.
- Peaceful protest slogans focused on actions, policies or institutions.
- Religious or academic discussion when clearly contextualised.

Practical Protest Guidance

- • Target **actions, policies and institutions** — not peoples or identities.
- • Use precise language: governments, leaders, armies, laws — not ethnic or religious groups.
- • Avoid collective blame or dehumanising language.
- • Keep messaging grounded in international law and documented facts.

This document is informational only and not legal advice. Interpretation will ultimately depend on final legislation and court rulings.