

6 August 2025

Mr John Sackar AM KC
Independent Reviewer

Submitted via email: PRLIndependentReviewSecretariat@dcj.nsw.gov.au

RE: Independent Review of Law Protections Against the Incitement of Hatred

The New South Wales Council of Churches (NSWCC) has served as the peak body for major Protestant churches on matters of public interest since its inception in 1925. The NSWCC comprises their "Heads of Churches" plus representatives of the eight evangelical Christian denominations: Anglican, Baptist, Reformed, Churches of Christ, Congregational, Presbyterian, Salvation Army, Missionary Alliance of Australian Churches. NSWCC Board and Executive are charged with keeping abreast of social issues, legislative changes and matters that can benefit or adversely harm their communities. As a group we also have a vested interest in secular broadcasting which in itself leads to podcasts and other digital outlets. (NSWCC Broadcasting Committee)

We are mindful that a number of our member denominations and likeminded Christian organisations have made extensive submissions with respect to this Review.

We are grateful for the opportunity of making this brief submission and are prepared to offer any further assistance that may be helpful. As the peak body we can obviously garnish responses to any further matters that may arise.

Focus Questions:

1: *What is the extent and impact of hatred towards vulnerable groups in the NSW community?*

- We are disturbed by the growing lack of human dignity and human worth that is evident in our society.

2: *Does the criminal law adequately protect against the incitement of hatred towards all vulnerable groups in NSW?*

- The criminal law adequately protects against the incitement of hatred. Russian dissident Solzhenitsyn speaks to today when he indicates the societal problem, "everyone is seeking to change humanity but no one is seeking to try to change the heart." With strong laws in place hate crimes are now best addressed by faith and secular movements such as Peace Wise ministering in churches, schools etc and focusing on the basic principles of being a peace maker.

3: *How can the criminal law strike an appropriate balance between protecting against the incitement of hatred towards vulnerable groups and protecting other important freedoms, including the implied freedom of political communication and freedom of religion?*

- The Criminal law best does this by keeping a balance between restrictions on "hate speech" and the freedom of expression. Freedom from hate and freedom of speech may be both first order (generation) human rights issues and need to be kept in balance. It is suggested further legislation with respect to hate speech will work against that balance. Whilst the "International covenant on civil and political rights" (1966) eg Article 18.4 are relevant, the founding consideration with respect to freedom of expression is the Universal Declaration of Human Rights (1948) Articles 18, 19, 30.
- It is important that we do not reach a legal situation of a crime of proselytism (Larissis and others Vs Greece, European Court on Human Rights.)

4: *Focus Question 4: Would reforming criminal law protections against the incitement of hatred towards vulnerable groups assist with promoting social cohesion in NSW?*

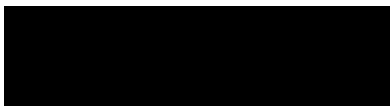
- See above.

5: *Could reforming criminal law protections against the incitement of hatred towards vulnerable groups have potentially negative or unintended consequences? If so, are there any further safeguards that could reduce this risk?*

- Yes (see above)

6: *Are there other measures related to criminal law reform that may promote social cohesion?*

- Law is educative and part of the education process is to equip the community to understand its limitations, that it has evident restrictions because of the tension between “rights” and societal change.



Executive Director



NSW Council of Churches
Advancing a Christian Perspective

