

Our ref: D25/2813750

26 September 2025

RE: Incitement of hate speech protections review

Delivered by email to: PRLIndependentReviewSecretariat@dcj.nsw.gov.au

Dear Reviewer,

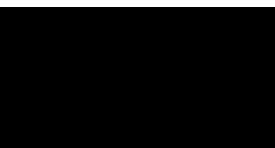
The Disability Council NSW welcomes the opportunity to make a submission to the Independent Review of Criminal Law Protections Against the Incitement of Hatred.

As the statutory advisory body to the NSW Government on issues affecting people with disability, the Council is deeply concerned that existing criminal law protections do not adequately address hatred directed towards people with disability. The Disability Royal Commission (DRC) has documented the profound and harmful impact of ableist attitudes, including ridicule, contempt and targeted hostility, which too often escalate into violence, abuse and exclusion.

Recommendations:

1. Extend coverage of section 93ZAA beyond race to include disability and other protected attributes.
2. Introduce a tiered offence structure (intentional + likely).
3. Clarify the scope of 'public act' to cover online spaces.
4. Include clear safeguards for good-faith expression.
5. Mandate review and oversight, with publication of disaggregated hate crime data.
6. Pair law reform with education and reporting mechanisms.

Yours faithfully



Jane Spring AM
Chair

