



CRIMES AMENDMENT (PLACES OF WORSHIP) BILL 2025

STATEMENT OF PUBLIC INTEREST

Need: Why is the policy needed based on factual evidence and stakeholder input?

The Crimes Amendment (Places of Worship) Bill 2025 (**the Bill**) is the outcome of the Government's consideration of law reform to protect places of worship, as announced on 8 December 2024.

The Bill:

- amends the *Crimes Act 1900* (**Crimes Act**) to introduce a new offence applying to persons who:
 - without reasonable excuse, intentionally block, impede, or hinder a person from accessing or leaving, or attempting to access or leave, a place of worship.
 - harass, intimidate, or threaten a person accessing or leaving, or attempting to access or leave, a place of worship.
- amends the *Law Enforcement (Powers and Responsibilities) Act 2002* (**LEPRA**) to authorise police to issue move on directions in relation to apparently genuine demonstrations, protests, processions or organised assemblies occurring in or near places of worship, with the continued application of existing safeguards, including those in section 197 of LEPRA.

Objectives: What is the policy's objective couched in terms of the public interest?

Article 18 of the International Covenant on Civil and Political Rights (**ICCPR**) protects the freedom of religion, including the freedom of individuals to manifest their religion or belief through worship, observance, and practice. The Bill aims to ensure that people in NSW are free to practice their religion without being impeded or harassed by others.

Options: What alternative policies and mechanisms were considered in advance of the bill?

Protecting persons seeking to practise their faith free from obstruction, harassment or intimidation can only be achieved through legislative amendment. Although some existing offences could capture some of the conduct seeking to be addressed, the Bill provides a tailored approach that ensures there are no gaps in the law.

Analysis: What were the pros/cons and benefits/costs of each option considered?

The proposed amendments are consistent with Australia's obligation as a party to the ICCPR to protect religious freedoms.

The proposed amendments apply only to conduct that involves intentionally impeding people from accessing or leaving a place of worship, or harassing or intimidating such people. Consequently, any impact on the right to protest is within acceptable boundaries.

Pathway: What are the timetable and steps for the policy's rollout and who will administer it?

The amendments in the Bill commence three months after the date of assent, or earlier upon proclamation. The three month lead in time will allow necessary updates to systems and training to occur. The Department of Communities and Justice will manage the implementation of the Bill.

Consultation: Were the views of affected stakeholders sought and considered in making the policy?

The Bill was developed in consultation with the Faith Affairs Council, NSW Jewish Board of Deputies, Special Envoy to Combat Antisemitism, LGBTQI+ Advisory Council, Law Society of NSW and NSW Bar Association, as well as internal NSW Government stakeholders, including the NSW Police Force and Legal Aid NSW.