

ESTIMATES COMMITTEE

Question Taken on Notice

Question Number: 5.1

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Date: 16/06/2025

From: J Davis

To: Hon Marie-Clare Boothby

Portfolio: Attorney-General

Agency: Attorney-General's Department

Subject: The definition of 'incite' under changes to the *Anti-Discrimination Act*

QUESTION:

Could you please provide a definition of 'incite' under the proposed changes to the *Anti-Discrimination Act*?

ANSWER:

The term 'incite' is not defined in the *Anti-Discrimination Act 1992*.

At common law, the definition of 'incite' would be considered by reference to the ordinary meaning to establish the threshold of harm for a complaint made. That is, 'encourage or stir up' in reference to violent or unlawful behaviour, or to 'urge' or 'persuade' someone to act in a violent or unlawful way