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## Vilification Claim Lodged Against AJA Over Social Post

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– Categories: Human Rights



A formal complaint has been filed this week with Anti-Discrimination New South Wales (NSW) against the Australian Jewish Association (AJA) by Birchgrove Legal on behalf of Kassem Chalabi, a Palestinian Muslim and chief executive of the Palestinian Australians Welfare Association. The complaint references social media posts made on platforms such as Instagram, Facebook, and X (formerly Twitter), alleging they contain “serious and repeated public acts of racial and religious vilification.”

The 58-page complaint lists nine instances of alleged racial vilification and seven incidents of religious vilification. It claims the posts are deliberately designed to incite hatred, serious contempt, or severe ridicule of Palestinians and Muslims. Chalabi has

expressed that the frequency and tone of these posts left him feeling “isolated and unsafe,” particularly in light of the tragic conflict unfolding in Gaza.

This case marks one of the first major complaints lodged under the Anti-Discrimination Act 1977 (NSW) following the introduction of religious vilification provisions under Sections 20C and 49ZE in the 2023 amendments. Under these provisions, it is unlawful to incite hatred or contempt toward a person based on religion or race in a public act.

Birchgrove Legal’s principal lawyer, Moustafa Kheir, described the AJA’s posts as “cruel, disgusting attacks” that go beyond political commentary and dehumanise Palestinians and Muslims. The complaint seeks several remedies, including a formal apology, removal of the content, enforceable prohibitions on further such postings, and compensation for the harm caused.

Once accepted, the Anti-Discrimination Board of NSW may attempt to resolve the matter through conciliation. If that fails, the case may be referred to the NSW Civil and Administrative Tribunal (NCAT), which has the authority to require apologies or impose damages of up to \$100,000.

The complaint also highlights a growing debate over where the line should be drawn between robust public discourse and unlawful vilification. As the process unfolds, it will likely shape emerging interpretations of both racial and religious discrimination law in NSW.