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TRANSCRIPT

ABC NEWS INTERVIEW WITH PATRICIA KARVELAS

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Topics: *hate speech and gun buyback laws; Newspoll*

E&OE

PATRICIA KARVELAS: Well on the weekend, Joe, the Prime Minister backed down from the original piece of legislation, which was an omnibus bill, which had, of course, the gun changes and the buyback scheme and the hate laws all together in one bill. It was quite a friendless bill, so the government had to reset and recalibrate its approach. It ended up announcing two different bills and a watered down version of those hate laws, getting away for instance from criminalising hate speech which means that the Coalition is now back at the table, so much so that Sussan Ley and the Prime Minister have met and the Coalition is considering negotiating now in good faith, they say, on this hate legislation. I'm joined now by the Shadow Home Affairs spokesperson, Jonno Duniam, who can explain where they're at with it. Welcome.

JONNO DUNIAM: Thanks, Patricia, for having me.

PATRICIA KARVELAS: Sussan Ley has met with the Prime Minister, so just give me a sense, has the Shadow Cabinet given Sussan Ley the authority to do a deal on these laws?

JONNO DUNIAM: Well we have gone through some of our internal processes. We accept and see that the government have made some significant concessions in dumping the racial vilification laws and the religious text defence, that's all gone, they were major problems for us. So we are in good faith looking at the balance of the legislation, we have identified some issues that require further work and we are working in good faith with the government.

PATRICIA KARVELAS: And does that mean that you see the onus upon you to pass this legislation by tomorrow?

JONNO DUNIAM: Well the onus is on this parliament to do the right thing, to get the balance right when it comes to impacts on freedoms versus being able to protect communities in our nation like the Jewish community, properly. So, we're going through that process. Jewish Australians after Bondi do want this parliament to get it right. The process to this point in time has been beyond flawed. That aside, we are trying to fix this mess and get the right outcome so we'll keep working through the process. There's no guarantees of an outcome here but we are here in good faith seeking to make it work.

PATRICIA KARVELAS: The Prime Minister and constitutional expert, Anne Twomey, say banning the hardline Islamist group, Hizb ut-Tahrir, is harder under this watered-down legislation. Firstly, do you concede it's now harder, because of the changes they've had to make to get you on board?

JONNO DUNIAM: Well, there were huge potential costs associated with the legislation they have dumped, being the racial vilification laws and that religious text defence which, frankly, even Jewish communities said made a mockery of what the government was intending to do. Does that alter the work that intelligence, security and law enforcement agencies have to do in order to get the outcome we want, which is to deal with insidious groups like Hizb ut-Tahrir -

PATRICIA KARVELAS: But it makes it harder now, this legislation isn't as strong, they've said, to actually be able to achieve dealing with these groups.

JONNO DUNIAM: And so part of the work we are doing is to ensure that what remains of the government's legislation does give effect to what we need it to, and that is dealing with these hideous groups. So while it might be harder in the eyes of some, indeed, there has to be a way to make these things work without impeding on all of the issues or having unintended consequences we identified with the parts of the bill they've dumped. So our job is to make it work -

PATRICIA KARVELAS: A necessary compromise, you're saying, even if it is harder?

JONNO DUNIAM: Well, it is something that had to happen. The government themselves conceded that by dumping the legislation.

PATRICIA KARVELAS: People like Andrew Hastie in your partyroom say no to any laws, especially in Andrew Hastie's case, until the Royal Commission reports. Have you met with him and others?

JONNO DUNIAM: Well, I speak to a number, in fact, most of my colleagues on a very regular basis many times throughout the day. And I think one thing that most colleagues would accept, including Andrew, is that there is a need for us to get this right. There are concerns identified in the legislation, and I won't speak on behalf of colleagues who will have the opportunity to have their say through our internal processes, dealing with risks and concerns in the laws is something we are working through now. And if we can do that to an extent that colleagues are comfortable, then we will proceed and look to what -

PATRICIA KARVELAS: Just to be clear, as you negotiate now with the government, is the work you're doing to ensure Andrew Hastie, I know there are others who've been outspoken, are on board before you can give it your support?

JONNO DUNIAM: Well indeed, if we get this right, if the laws have the balance needed to protect Australia from these horrible groups like Hizb ut-Tahrir, and balance protections for freedoms, then of course colleagues will support it. So if we do the job properly, which is what I endeavour to do along with Sussan Ley and the rest of the Shadow Cabinet, then the outcome will be one that can be supported by colleagues.

PATRICIA KARVELAS: So you're saying there will be no crossing the floor.

JONNO DUNIAM: Look, again, I can't speak on behalf of colleagues. They have an opportunity to work with us through this process. Concerns will be raised. If they can't be dealt with, then what they do is, of course, something they will do. But my job is to try and help this government fix the mess they've created by improving these laws in a way that the parliament can try and support.

PATRICIA KARVELAS: But is your message to your colleagues get on board, don't say no to any laws?

JONNO DUNIAM: Well, in reverse, probably the message from my colleagues to me is please make sure that Labor don't pass terrible laws, get them into a shape that are acceptable, and that's the work I'm trying to do.

PATRICIA KARVELAS: Now we're doing a message off, but are you then saying we do have to do something? Because the opposition, you beat your chest after this terror event. You said the parliament needed to be recalled, there needed to be urgency. The government has now come to this. Doesn't that mean there's an obligation to do something?

JONNO DUNIAM: Well indeed, and that's why we're here. That's why we're working with the government in good faith through a range of measures that we want to see perhaps improvements to. We did want parliament to come back early. We wanted legislation passed that would protect the Jewish community, stamp out antisemitism and deal with Islamic extremism. We got back early, but the laws they presented didn't do what we needed them to do. That is why we are now doing what should have happened up front, now at the eleventh hour. So we're trying to fix Labor's mess and that's the job I've got ahead of me.

PATRICIA KARVELAS: You've said that you want the racial vilification element revisited, that it shouldn't be finished even though it's been stripped out. What do you want?

JONNO DUNIAM: If the government want to proceed with these provisions in the racial vilification laws, the way they were drafted had extreme risk attached to them, unintended consequences, untested provisions that may have had a massive chilling effect on freedom of speech, journalistic capacity, artistic endeavour, all of those things. If the government want to bring those laws back, then table them and we will go through a proper process to ensure that we get the balance right.

PATRICIA KARVELAS: So do you want them to bring them back?

JONNO DUNIAM: Well what we want is to not rush laws. If the government want to bring back racial vilification -

PATRICIA KARVELAS: Yeah, if they want to. What I'm asking you though, with respect, is do you want those laws brought back? Do you think they're necessary?

JONNO DUNIAM: I'm not sure the provisions they tabled, that have been entitled racial vilification provisions, were necessary. Others say they were, I think this is where we do need to work together, which is what didn't happen before Labor presented their laws. They just whacked them on the table and said take it or leave it and of course we're stared down by everyone who wasn't in the Labor Party, leaving them where they are today. If they want to revisit those laws and if they tell us these will work and here's how we can protect freedom of speech, let's have a conversation. But it's not up to me to get the government's job done for them.

PATRICIA KARVELAS: Two more questions, one on guns, will you support that legislation?

JONNO DUNIAM: Well that remains a problematic piece of legislation for the reasons colleagues have outlined. There have been a number of amendments contemplated and we will announce our final position on all of those things -

PATRICIA KARVELAS: But your instinct, the direction is to vote against it?

JONNO DUNIAM: Yeah, and while there are elements in there incredibly important, like the Auscheck, the sharing of information between state and federal agencies around intelligence, we

wanted to see them supported, but of course they've tied it in with a range of things that make that legislation unworkable. If there are changes, well then, and they haven't introduced the final laws yet I will remind you Patricia, they're yet to come into Parliament, then maybe there's room to move, but at this point in time I can't see how we could support them.

PATRICIA KARVELAS: Just finally, Newspoll today shows One Nation ahead of the Coalition. When you saw that, and I know you did, what did you think?

JONNO DUNIAM: Well as I've said every time I see a poll that doesn't have us out in front by 20 per cent, we've got a lot of work to do -

PATRICIA KARVELAS: This is quite something else though. One Nation, the party to your right, is eating you.

JONNO DUNIAM: Look, we've got work to do. We've got to speak plainly with Australian people about what we stand for, why it's important and how people will be better off under the things we propose.

PATRICIA KARVELAS: But isn't it a reflection on Sussan Ley's leadership?

JONNO DUNIAM: Look, I think you could cut this any which way. You could blame her, you could blame her shadow cabinet, you can blame a range of people. We've got to work as a team or else those numbers will never change. It is a poll, I could sit here and watch them and worry about them all day, but I'm not going to -

PATRICIA KARVELAS: Sure but does the poll send a message to you about the political direction? Because I've spoken to colleagues of yours who say, you know, there is a message here about the right wing of politics and the kind of policies we should be embracing.

JONNO DUNIAM: Well clearly if that poll were to be repeated, it does indicate that we continue to get something wrong. The one thing I look at is the election drubbing we got just under a year ago. Pretty strong message to me that we got it wrong. Clearly if this continues then there are things that we will have to address in terms of policy and how we go and communicate with the community. They're things we'll work on. We've got our work cut out for us and I am no stranger to hard work -

PATRICIA KARVELAS: If it continues though, you will have to address it, you're saying?

JONNO DUNIAM: Well, we'll have to make sure we understand what the Australian community want, give it to them and sell it well. That's how you win votes and that's the business we're in and so that's the work we've got ahead of us. It's what I'm doing right now - rejecting Labor's terrible racial vilification laws because of the impact they'd have had on the country is one of those things. We've got to go and communicate it to the people of Australia about why and how much better off they are as a result.

PATRICIA KARVELAS: Thank you so much.

JONNO DUNIAM: Thank you, Patricia.