



ATTORNEY-GENERAL

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Executive Council
Meeting No. 1

Approved in Council

Sam Mostyn AC
Governor-General

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of the Council

Secretary to the Executive Council

Minute Paper for the Executive Council

Subject

Royal Commissions Act 1902

Issue of Commissions by Letters Patent to:

The Hon Virginia Bell AC

to inquire on Antisemitism and Social Cohesion.

Recommended for the approval of Her Excellency the Governor-General in Council that she issue Letters Patent in the attached form.

Michelle Rowland
Attorney-General



KING CHARLES THE THIRD, by the Grace of God King of Australia and His other Realms and Territories, Head of the Commonwealth

TO

The Honourable Virginia Bell AC

GREETING

ACKNOWLEDGING the antisemitic terrorist attack on Jewish Australians that took place at Bondi Beach on 14 December 2025, and which resulted in the loss of 15 lives and the wounding of a further 40 individuals.

AND the determination of the Australian Government to respond to the attack, and the factors leading up to the attack, as a matter of urgency by addressing antisemitism within the Australian community, including since 7 October 2023.

AND that the Australian Government has adopted the International Holocaust Remembrance Alliance's working definition of antisemitism.

AND recognising that strengthening the national consensus in support of democracy, freedom and the rule of law (social cohesion) provides the strongest defence against antisemitism and other forms of religious and ideologically motivated extremism.

AND that hearing from the Jewish Australian community will be important to informing the recommendations of your inquiry and recognising concerns relating to educational and cultural institutions, and other sectors of Australian society.

AND the necessity for the inquiry to be conducted in a manner that does not occasion prejudice to current or future criminal proceedings or national security or undermine social cohesion.

NOW THEREFORE We do, by these Our Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on the advice of the Federal Executive Council and under the Constitution of the Commonwealth of Australia, the *Royal Commissions Act 1902* and every other enabling power, appoint you to be a Commission of inquiry, and require and authorise you to inquire into the following matters:

- (a) tackling antisemitism by:
 - (i) investigating the nature and prevalence of antisemitism in institutions and society, and examining its key drivers in Australia, including religious and ideologically motivated extremism and radicalisation, including in the lead up to the antisemitic Bondi terrorist attack on 14 December 2025;
 - (ii) identifying any opportunities to enhance the responses of governments to antisemitism including, but not limited to, best practice approaches to de-radicalisation and strengthening social cohesion;
 - (iii) making recommendations to counteract and prevent manifestations of antisemitism;
 - (iv) assessing the impact of antisemitism on the daily life of Jewish Australians including with respect to security, physical and mental health and wellbeing;
- (b) making any recommendations to assist law enforcement, border control, immigration and security agencies to tackle antisemitism, including by:
 - (i) improvements to guidance and training within law enforcement, border control, immigration, and security agencies to respond to antisemitic conduct;
 - (ii) having regard to existing security arrangements for the Jewish community, improvement of protective security for Jewish places of worship, major sites, educational and cultural facilities, public events and community leaders;
 - (iii) whether these authorities have sufficient powers and resources to respond to antisemitic conduct;
- (c) examine the circumstances surrounding the antisemitic Bondi terrorist attack on 14 December 2025, including:
 - (i) lead up to and planning of the attack;
 - (ii) the interaction and information sharing between Commonwealth agencies, between Commonwealth and State and Territory agencies, and between relevant Commonwealth and State agencies with the organisers of the Chanukah event at Bondi Beach on 14 December 2025;
 - (iii) security arrangements for the Chanukah event and Bondi Beach on 14 December 2025;

- (iv) the attack;
 - (v) emergency response to the attack;
 - (vi) whether relevant Commonwealth, State and Territory intelligence and law enforcement agencies performed to maximum effectiveness, including whether they had adequate powers and the right systems, processes and procedures, and whether there was an appropriate authorising environment for information sharing with other Commonwealth, State and Territory agencies;
 - (vii) whether relevant Commonwealth, State and Territory intelligence and law enforcement agencies were prevented from taking prohibitive actions by the current legislative framework and authorising environment;
 - (viii) identifying any gaps in existing legal and regulatory frameworks that impede the ability for law enforcement, border control, immigration and security agencies to prevent and respond to attacks of this nature at both the state and federal levels;
 - (ix) identifying any lessons for security and law enforcement agencies to prevent and respond to similar attacks in the future;
- (d) make any other recommendations arising out of your inquiry into the matters set out in paragraphs (a) to (c) that would contribute to strengthening social cohesion in Australia and countering the spread of ideologically and religiously motivated extremism in Australia;
- (e) any matter reasonably incidental to a matter referred to in paragraphs (a) to (d) or that you believe is reasonably relevant to your inquiry.

AND We direct you to make any recommendations arising out of your inquiry that you consider appropriate, including recommendations about any policy, legislative, administrative or structural reforms.

AND We further declare that you are not required by these Our Letters Patent to inquire, or to continue to inquire, into a particular matter to the extent that you are satisfied that the matter has been, is being, or will be, sufficiently and appropriately dealt with by another inquiry or investigation or a criminal or civil proceeding.

AND, without limiting the scope of your inquiry or the scope of any recommendations arising out of your inquiry that you may consider appropriate, We direct you, for the purposes of your inquiry and recommendations, to consider the following matters, and We authorise you, as you consider appropriate, having regard to the date by which you are required

to submit your final report, to take (or refrain from taking) any action arising out of your consideration:

- (f) the need to establish mechanisms to facilitate the timely communication of information, or the furnishing of evidence, documents or things, in accordance with section 6P of the *Royal Commissions Act 1902* or any other relevant law, including, for example, for the purpose of enabling the timely investigation and prosecution of offences;
- (g) the need to establish appropriate arrangements in relation to current and previous inquiries, in Australia and elsewhere, for evidence and information to be shared with you in ways consistent with relevant obligations so that the work of those inquiries, including, with any necessary consents, the testimony of witnesses, can be taken into account by you in a way that avoids unnecessary duplication, improves efficiency and avoids unnecessary trauma to witnesses;
- (h) the need to recognise and appropriately protect any intelligence information or operationally sensitive information obtained by you;
- (i) the need to establish appropriate arrangements with the heads of the relevant Australian intelligence entities for obtaining, storing, accessing, using, disclosing and returning intelligence information relating to an Australian intelligence entity.

AND We declare that you are a relevant Commission for the purposes of sections 4 and 5 of the *Royal Commissions Act 1902*.

AND We declare that you are a Royal Commission to which item 5 of the table in subsection 355-70(1) in Schedule 1 to the *Taxation Administration Act 1953* applies.

AND We declare that you are authorised to conduct your inquiry into any matter under these Our Letters Patent in combination with any inquiry into the same matter, or a matter related to that matter, that you are directed or authorised to conduct by any Commission, or under any order or appointment, made by any of Our Governors of the States or by the Government of any of Our Territories.

AND We declare that in these Our Letters Patent:

Australian Defence Force has the same meaning as in the *Defence Act 1903*.

Australian intelligence entity means:

- (a) the Australian Secret Intelligence Service; or
- (b) the Australian Security Intelligence Organisation; or
- (c) the Australian Geospatial-Intelligence Organisation; or

- (d) the Defence Intelligence Organisation; or
- (e) the Australian Signals Directorate; or
- (f) the Office of National Intelligence.

Department of Defence means the Department administered by the Minister administering the *Defence Force Discipline Act 1982*.

head, of an Australian intelligence entity, means:

- (a) in relation to the Australian Security Intelligence Organisation—the Director-General of Security; or
- (b) in relation to the Australian Secret Intelligence Service—the Director-General of the Australian Secret Intelligence Service; or
- (c) in relation to the Australian Signals Directorate—the Director-General of the Australian Signals Directorate; or
- (d) in relation to the part of the Department of Defence known as the Australian Geospatial-Intelligence Organisation—the Director of that part of the Department; or
- (e) in relation to the part of the Department of Defence known as the Defence Intelligence Organisation—the Director of that part of the Department; or
- (f) in relation to the Office of National Intelligence—the Director-General of National Intelligence.

intelligence information means information:

- (a) that was acquired or prepared by or on behalf of an Australian intelligence entity in connection with its functions; or
- (b) that relates to the performance by an Australian intelligence entity of its functions; or
- (c) that identifies a person as being, or having been, a staff member (within the meaning of the *Intelligence Services Act 2001*) or agent of the Australian Secret Intelligence Service or the Australian Security Intelligence Organisation.

law enforcement or security agency means any of the following agencies:

- (a) the Australian Defence Force;
- (b) the Australian Federal Police;
- (c) the Australian Criminal Intelligence Commission;
- (d) the Department administered by the Minister administering the *Australian Border Force Act 2015*;
- (e) the Office of the Special Investigator;
- (f) the police force of a State or Territory.

operationally sensitive information means:

- (a) information about information sources or operational activities or methods available to a law enforcement or security agency; or
- (b) information about particular operations that have been, are being or are proposed to be undertaken by a law enforcement or security agency, or about proceedings relating to those operations; or
- (c) information provided by a foreign government, or by an agency of a foreign government, where that government does not consent to the public disclosure of the information.

AND We:

- (j) require you to begin your inquiry as soon as practicable; and
- (k) require you to make your inquiry as expeditiously as possible; and
- (l) require you to ensure the inquiry is conducted in a professional, impartial, respectful and courteous manner, including appropriately managing any actual or perceived conflicts of interest; and
- (m) require you to submit to Our Governor-General an interim report that you consider appropriate not later than 30 April 2026, focusing on:
 - (i) the matters mentioned in paragraph (c); and
 - (ii) any other issues requiring urgent or immediate action; and
- (n) require you to submit to Our Governor-General a report of the results of your inquiry, and your recommendations, not later than 14 December 2026.

IN WITNESS, We have caused these Our Letters to be made Patent.

WITNESS the Honourable Sam Mostyn AC, Governor-General
of the Commonwealth of Australia.

Dated 9 January 2026



Governor-General



By Her Excellency's Command



Attorney-General

EXPLANATORY MEMORANDUM

Minute No. 30 of 2026 – Attorney-General

Subject - *Royal Commissions Act 1902*

Issue of Commissions by Letters Patent to:

The Hon Virginia Bell AC

to inquire on Antisemitism and Social Cohesion.

The proposed instrument would issue Commissions by Letters Patent to the Hon Virginia Bell AC to inquire on Antisemitism and Social Cohesion.

The *Royal Commissions Act 1902* (the Act) provides for the establishment, powers and operation of Royal Commissions and for the management of Royal Commission records.

Section 1A of the Act empowers the Governor-General, by Letters Patent in the name of the King, to issue a commission requiring or authorising the person or persons to whom it is directed, to inquire into and report on any matter specified in the Letters Patent, and that relates to or is connected with the peace, order and good government of the Commonwealth, or any public purpose or any power of the Commonwealth.

The purpose of the Minute is to recommend that Letters Patent (the proposed Letters Patent) be issued to the Hon Virginia Bell AC to conduct an inquiry into Antisemitism and Social Cohesion.

On 8 January 2026, the Prime Minister, the Hon Anthony Albanese MP, announced that he would recommend to you the establishment of a Royal Commission on Antisemitism and Social Cohesion (the Royal Commission), as part of the Australian Government's response to the terrorist attack on Jewish Australians that took place at Bondi Beach on 14 December 2025, and which resulted in the loss of 15 lives and the wounding of a further 40 individuals.

The proposed Letters Patent direct the Commissioner to make findings and recommendations about antisemitism in Australia and assist law enforcement, border control, immigration and security agencies to tackle this issue.

It is intended that individual experiences of the Jewish Australian community, and others are central to the inquiry as well as recognising concerns relating to educational and cultural institutions, and other sectors of Australian society.

The proposed Letters Patent declare that the Commissioner is not required to inquire into a matter they are satisfied has been or is being appropriately dealt with by another inquiry, investigation or criminal or civil proceeding, but may have regard to the findings and recommendations of previous relevant reports and inquiries. This is important in acknowledging the large number of inquiries which have considered such issues previously.

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The proposed Letters Patent include a provision authorising the Commissioner to undertake concurrent inquiries issued by a State Governor or Territory Government. Given the nature of the inquiry, while the Royal Commission will be Commonwealth led, participation of New South Wales (NSW), at a minimum will help ensure it can adequately examine all aspects of the Bondi Beach terrorist attack. It is intended that NSW and the other States be invited to participate in the Royal Commission by issuing complimentary Letters Patent. In accordance with usual practice, it is not proposed that the Territory Governments establish a concurrent commission. NSW and the other States have been consulted on the proposed Letters Patent.

The proposed Letters Patent declare the Commission to be a 'relevant Commission' for the purposes of sections 4 and 5 of the Act. This means a Commissioner, and certain persons assisting the Commission, may apply to a Judge of a prescribed court for search warrant matters related to the inquiry.

Item 5 of the table in section 355-70(1) of the *Taxation Administration Act 1953* permits disclosure of taxpayer information to a Royal Commission if the Letters Patent provide that Item 5 is to apply to the Royal Commission. The proposed Letters Patent include a provision of that kind, as taxpayer information may be relevant when considering relevant economic and financial circumstances of the Jewish Australian community. It is an offence for a tax officer to disclose protected information without authority.

The proposed Letters Patent would require the Royal Commission to commence its inquiry as soon as practicable and as expeditiously as possible, and to submit to the Governor-General an interim report by not later than 30 April 2026 and to submit a final report by not later than 14 December 2026.

The Act specifies no conditions that need to be satisfied before the power to issue the proposed Letters Patent may be exercised.

The proposed Letters Patent would not be a legislative instrument for the purposes of the *Legislation Act 2003*.

The Hon Virginia Bell AC has agreed to accept a nomination as the sole Commissioner, and Chair of the Royal Commission. The proposed Commissioner is well qualified to undertake the Commissions outlined in the proposed Letters Patent. The Hon Bell AC was a former justice of the High Court of Australia (between 2009 and 2021). At the time of her appointment, she was also a judge of the New South Wales Court of Appeal. She was admitted to the New South Wales Bar in 1984 and was appointed a Senior Counsel in 1997. Ms Bell practised as a public defender between 1986 and 1989 and was counsel assisting the Royal Commission into the New South Wales Police Service (1995-1997 – the Wood Commission).

The Minute recommends that the Letters Patent be issued in the form proposed.

Authority: Section 1A of the *Royal Commissions Act 1902*