



AUSTRALIAN  
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## **Lawyers call out Tasmanian Government's calculated move to push hate speech protection laws through Parliament before the federal survey on marriage equality.**

Australian Lawyers for Human Rights (ALHR) strongly urges the Tasmanian Parliament to reject the Anti-Discrimination Amendment Bill 2016, which ALHR understands is to be debated in the Tasmanian Legislative Council today

The Bill proposes to amend the Anti-Discrimination Act 1998 to remove legal protections against discrimination and speech which incites hatred and ridicule for religious purposes.

ALHR Tasmanian Convenor Nicole Sommer said "The Government is pushing through laws in response to the marriage equality postal opinion poll. The Anti-Discrimination Act currently provides protections against hate speech, speech that incites hatred and violence against minorities. These changes would remove those very important protections."

"The timing of this move appears to be calculated so as to remove protections against hate speech in the lead-up to the marriage equality postal opinion poll. ALHR is deeply concerned for members of the Tasmanian LGBTI community, their families and children if these laws are passed. Language which "incites hatred or ridicule" is not designed to be respectful, it is designed to hurt and has a very real impact on the health and wellbeing of vulnerable members of the community."

"The Act, as it currently stands, achieves an appropriate balance between providing protection from discrimination and unlawful and harmful conduct whilst allowing for genuine public debate and discussion."

ALHR LGBTI Committee Co-Chair Nicholas Stewart noted, "The proposed changes leave the LGBTI community and other individuals and minority groups open to hate speech and offensive, humiliating, intimidating, insulting or ridiculing conduct on the basis of "religious purpose", the proposed definition of which is ambiguous and without limitation."

"The prevention of serious harm caused by speech that is homophobic requires and warrants appropriate restrictions on freedom of speech."

"The proposed changes do not strike a fair balance between freedom of expression and the internationally-protected rights of reputation, human dignity and freedom from discrimination. Free speech is not superior to other human rights. It is not supreme. It must be subject to reasonable accommodations."

Ms Sommer said, "If the Tasmanian Government passes these laws, it will be actively licencing all manner of hateful, hurtful and disgusting comments in the days ahead and will put Tasmania under the spotlight as a national disgrace. These laws have not been properly consulted on and do not reflect the will of the Tasmanian people."

ALHR calls on the Tasmanian Parliament to reject the Bill in its entirety. It has also called on the Federal Government to put an immediate end to the undemocratic postal opinion poll and allow a free vote for marriage equality. It also calls on all parliamentarians to support an Australian Bill of Rights.

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*Australian Lawyers for Human Rights (ALHR) was established in 1993 and is a national association of Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and specialist national thematic subcommittees. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.*