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Thursday 2 October 2014

SENATOR DAY'S BILL AN IMPORTANT STEP ON THE ROAD TO RESTORING FREE SPEECH

"Family First Senator Bob Day's *Racial Discrimination Amendment Bill 2014* is an excellent step in the right direction to restore free speech," said Simon Breheny, director of the Legal Rights Project at free market think tank the Institute of Public Affairs.

Senator Day's bill is being debated in the Senate this morning. The bill is co-sponsored by Liberal Democrat Senator David Leyonhjelm and Liberal Senators Cory Bernardi and Dean Smith. The bill proposes to remove the terms "offend" and "insult" from section 18C of the *Racial Discrimination Act 1975*.

Section 18C currently makes it unlawful to "offend, insult, humiliate or intimidate" a person on the grounds of "race, colour or national or ethnic origin". Section 18C was the law used against journalist Andrew Bolt in 2011.

"This bill removes the worst parts of section 18C – the terms that create the right not to be offended. Senator Day's bill is an important step on the road to restoring freedom of speech," said Mr Breheny.

"This reform will increase the threshold that complainants will have to meet to make out a successful claim under section 18C. It will also make it more difficult for judges in future cases brought under section 18C to rely on the precedent set in the Bolt case," said Mr Breheny.

"This proposal to amend section 18C attracts support from commentators across the political spectrum. Former Prime Minister John Howard and former minister David Kemp have forcefully argued for the reform of section 18C. Prominent members of the political left are also in favour of the proposed change, including barrister Julian Burnside, human rights academic Sarah Joseph and journalists David Marr and Gay Alcorn," said Mr Breheny.

"Removing the words 'offend' and 'insult' is a policy position that almost everyone can agree on. All those who value freedom of speech should support Senator Day's bill."

This morning the IPA released a video on Senator Day's bill, which you can watch [here](#).

The IPA today also released a fact sheet explaining Senator Day's bill, which is available to download [here](#).

For media and comment:

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