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## TASMANIAN ANTI-DISCRIMINATION COMPLAINT SHOWS FREEDOM OF SPEECH IS UNDER ATTACK

“An anti-discrimination complaint against the Catholic Archbishop of Hobart shows that freedom of speech is under attack,” says Simon Breheny, director of the Legal Rights Project at free market think tank the Institute of Public Affairs.

Martine Delaney, Greens candidate for the federal seat of Franklin, has complained to the Tasmanian Anti-Discrimination Commission this week that pamphlets produced by Catholic Archbishop of Hobart Julian Porteous are offensive and breach the *Anti-Discrimination Act 1998* (Tas). Following amendments passed in 2013, the act makes it a crime for a person to “engage in any conduct which offends, humiliates, intimidates, insults or ridicules another person” on the basis of a range of attributes, including sexual orientation.

If Archbishop Porteous is found by the Tasmanian Anti-Discrimination Commission to have breached the act, he may be ordered to apologise, to pay a \$3080 fine or to pay compensation to the complainant.

“This attack on free speech is facilitated by Tasmania’s anti-discrimination laws, which are the most restrictive in the country,” says Mr Breheny.

“As I argued in an article for the *Sunday Tasmanian* in November 2012, the 2013 amendments would have ‘a crippling effect’ on freedom of expression and stifle public debate.”

“This confirms our worst fears about the law, and shows why the act should never have been amended.”

“Even if the complaint is rejected by the commission, the fact that the legislation contemplates such a complaint on a topic of genuine and significant public and political debate shows the overreach of the Tasmanian regime.”

“This complaint is a clear example of the chilling effect that legislation can have on speech,” says Mr Breheny.

Simon Breheny’s article in the *Sunday Tasmanian* can be read [here](#).

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