**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Jim Wilkinson

President of the Legislative Council

Parliament House

Hobart TAS 7000

Dear Mr Wilkinson,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Rosemary Armitage

Parliament House

Hobart TAS 7000

Dear Ms Armitage,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Ivan Dean

Parliament House

Hobart TAS 7000

Dear Mr Dean,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Craig Farrell

Parliament House

Hobart TAS 7000

Dear Mr Farrell,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Kerry Finch

Parliament House

Hobart TAS 7000

Dear Mr Finch,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Ruth Forrest

Parliament House

Hobart TAS 7000

Dear Ms Forrest,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Michael Gaffney

Parliament House

Hobart TAS 7000

Dear Mr Gaffney,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Vanessa Goodwin

Parliament House

Hobart TAS 7000

Dear Dr Goodwin,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Greg Hall

Parliament House

Hobart TAS 7000

Dear Mr Hall,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Paul Harriss

Parliament House

Hobart TAS 7000

Dear Mr Harriss,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Leonie Hiscutt

Parliament House

Hobart TAS 7000

Dear Ms Hiscutt,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Tony Mulder

Parliament House

Hobart TAS 7000

Dear Mr Mulder,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Tania Rattray

Parliament House

Hobart TAS 7000

Dear Ms Rattray,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Adriana Taylor

Parliament House

Hobart TAS 7000

Dear Ms Taylor,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**

**COMMUNITY LEGAL CENTRES TASMANIA**

**Animal Welfare Community Legal Centre • Environmental Defenders Office • Hobart Community Legal Service • Launceston Community Legal Centre • North West Community Legal Centre • Tenants’ Union • Women’s Legal Service • Worker Assist**

24 September 2013

The Honourable Rob Valentine

Parliament House

Hobart TAS 7000

Dear Mr Valentine,

**Re: *Anti-Discrimination Amendment Bill 2013***

We strongly urge you to support the proposed changes to section 17 of the *Anti-Discrimination Act 1998* (Tas)*.* In our opinion, the proposed amendment takes into account the concerns raised by the Legislative Council and strikes the right balance between freedom of expression and the right to be protected from prohibited conduct.

Last year the House of Assembly sought to move an amendment to section 17 of the *Anti-Discrimination Act 1997* (Tas) which would have broadened the range of attributes amounting to prohibited conduct because it offended, humiliated, intimidated, insulted or ridiculed another person.

In order to balance the competing interests of freedom of expression and the right to be protected from prohibited conduct, section 17 conduct will be subject to the same ‘fair comment’ defence already provided for in section 55 of the *Anti-Discrimination Act 1997* (Tas). This section provides that prohibitions on conduct will not apply if:

The person’s conduct is –

(a) fair report of a public act; or

(b) a communication or dissemination of a matter that is subject to a defence of absolute privilege in proceedings for defamation; or

(c) a public act done in good faith for –

(i) academic, artistic, scientific or research purposes; or

(ii) any purpose in the public interest.

As the Bill currently stands conduct will be prohibited because it offends, humiliates, intimidates, insults or ridicules a transgender or intersex person but not a gay or lesbian person. This was an inadequacy in the original Act that can be rectified through this amendment.

We strongly believe that conduct of the type amounting to prohibited conduct (threatening, humiliating, offensive, ridiculing or insulting behavior) on the attributes contained in the act has no place in the Tasmanian community and persons subject to such conduct should have the full protection of the law.

Including all of the proposed attributes will also ensure a greater level of consistency in how the law is applied, ensuring that persons subject to racism, sexism and sexual orientation etc. are guaranteed the adequate protections under the *Anti-Discrimination Act 1997* (Tas).

If we can be of any further assistance, please do not hesitate to contact us.

Kind regards,

Benedict Bartl

Policy Officer

**Community Legal Centres Tasmania**