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The Hon Robert S French AC  
Independent Reviewer  
Review of Freedom of Speech in Higher Education  
[freedomofspeechreview@education.gov.au](mailto:freedomofspeechreview@education.gov.au)

Dear Mr French AC

Thank you for your letter of 4 December 2018 requesting information to assist the independent review of freedom of speech in higher education (the Review). Specifically, you have sought advice on Tasmanian legislation, other than the *University of Tasmania Act 1992*, which may impact the subject of the Review, as well as any relevant administrative policies or principles adopted in Tasmania.

The Tasmanian Government is committed to ensuring a balanced regulatory environment that allows for genuine public debate and discussion on important issues, whilst ensuring appropriate protections against offensive conduct and incitement of hatred and contempt.

The *Anti-Discrimination Act 1998* prohibits victimisation and prevents a person from inciting hatred on specified grounds, such as a person's race, disability, sexual orientation or religious belief, in a range of activities including those undertaken in connection with education and training. The *Defamation Act 2005* also has relevance. It enacts provisions that promote uniform laws of defamation in Australia, and aims to ensure that the law of defamation does not place unreasonable limits on freedom of expression, in particular the publication and discussion of matters of public interest and importance.

Further, although not applying to the University of Tasmania or any other university established under an Act of the State, the *Office of Tasmanian Assessment, Standards and Certification Act 2003* deals with the provision of higher education and higher education awards in Tasmania, including the accreditation of courses and the registration of higher education providers. I note that no administrative policies have been adopted by the Tasmanian Government specifically addressing freedom of expression and freedom of intellectual inquiry.

I look forward to the outcomes of the Review, in particular the assessment of international approaches and consideration of ways to improve the protections already in place in the Australian context.

Once again, thank you for your letter.

Yours sincerely

  
Jeremy Rockliff MP  
Deputy Premier  
Minister for Education and Training