

Friday, 8 September 2017

## For respectful debate, vital to get legislative protections right

The Law Council of Australia has reiterated the need to move quickly to enact legislation protecting Australians from vilification, misleading and deceptive conduct during the marriage equality postal survey.

President of the Law Council, Fiona McLeod SC, said that the peak legal body supports all efforts to facilitate a fair and respectful debate on marriage equality.

“Vilifying, misleading and deceptive materials and statements should never be part of any campaign,” Ms McLeod said.

“There are many tough questions that will need to be dealt with, including deciding who will have oversight of the types of publications and statements being made.

“Because people are not seeking approval to make electoral statements, as they would in an election campaign, it is necessary to roll out laws specific to this postal survey.

“The legislation also needs to ensure the appropriate balance with other important freedoms, including: freedom of speech, freedom of expression and freedom of political communication.

“In short, these laws shouldn't impact overly on free speech, but protect people's sense of being safe and not having hateful remarks made about them,” Ms McLeod said.

Ms McLeod said that reports of bipartisanship in the preparation of these laws is reassuring.

“We share concerns raised in the community about the potential for hateful, misleading and damaging material to increase during the postal survey period.

“While there are some safeguards in place under national, state and territory laws, additional measures are needed to protect individuals and ensure a respectful debate,” Ms McLeod said.

The Law Council is a long-standing supporter of marriage equality, announcing its original support shortly after the Marriage Act was amended in 2004.

---

**Patrick Pantano: Public Affairs**

P 02 6246 3715

E Patrick.Pantano@lawcouncil.asn.au

**Anil Lambert, Media**

P 0416 426 722

E anil@hortonadvisory.com.au