

My submission is regarding the subject of online hate in the Act.

It has become common in the last few years for the opinions “humans cannot change their sex” and “men are not women even if they say they are” to be classified as hate speech against male people with a transgender identity. Within the last couple of years, the Greens party has thrown out members on the grounds of “anti-trans hate” for expressing the opinion that womens’ rights include the right to define women as female people only, and in Victoria the leaders of the both the Labor and Liberal parties defamed women by referring to a rally in favor of women’s rights as a “far right” event. The eSafety Commissioner has been active in this debate, censoring posts regarding a male person playing in women’s football in NSW, a male person taking drugs to attempt breastfeeding, with unknown ramifications for their child’s health, and a prominent LGBT identity posting somewhat salacious content on their personal social media.

Nevertheless, the majority position remains that people cannot change sex, and men are not women even if they say they are. The position regarded as “hate speech” is the normal opinion, held by most people.

The behaviour of the government in attempting to suppress and make problematic expressions of totally normal opinions which most Australians hold, is bringing the government and the process of regulating “hate speech” into serious disrepute. When the government classifies ordinary and fact-based opinions as “hate”, it becomes apparent that the government cannot be trusted to implement a hate speech law in such a way as to reflect actual community opinion.

Given the obvious problems with the government’s ability to identify “hate” and distinguish it from normal opinion, I believe that there should be no place for the regulation of “hateful language” in the Online Safety Act.