

Dear Consultation,

Thank you for inviting Australians to have their say regarding the exposure draft of the Online Safety Bill.

Much of the bill is commendable, and I am pleased with many of the proposed sections. For example, I highly support blocking content that is harmful to children and freeing the internet from inappropriate images.

However, the definition of what is classed as Adult Cyber-abuse is far too broad. The bill states in sections 7(1)(b) and (c) that if “an ordinary reasonable person would conclude that it is likely that the material was intended to have an effect of causing serious harm to a particular Australian adult” and that if “an ordinary reasonable person in the position of the Australian adult would regard the material as being, in all the circumstances, menacing, harassing or offensive” then that material is defined as cyber-abuse.

The words “likely” and “offensive” in these sections concern me, as does the term “serious harm” which is defined in section 5 (page 14) as “serious physical harm or serious harm to a person’s mental health, whether temporary or permanent” but goes on to explain that “serious harm to a person’s mental health” includes “serious psychological harm” or only “serious distress”. This is far too broad a definition, as temporary serious distress is entirely subjective.

Therefore, this definition of adult cyber-abuse will certainly restrict the free speech of ordinary Australians simply by creating the possibility of massive fines and onerous legal proceedings.

As a Christian, I am particularly concerned because this bill will also affect Australians’ freedom to share the Gospel, the Good News of Jesus Christ, or even to simply quote a Scripture passage; because anyone could claim that he suffered from temporary serious distress and was offended – a claim which cannot easily be refuted.

I suggest, therefore, that the Adult Cyber-abuse Section be modified to tighten the requirements as to what online material can be classed as adult cyber-abuse, to leave no uncertainty of terms, and to protect the free speech of ordinary Australians.

Thank you again for allowing me to share my thoughts on this bill.

Yours faithfully,

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