

Tom Thorp
Tom Thorp Computing Services
PO Box 246
MIAMI QLD 4220

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
CANBERRA ACT 2600

22nd November, 2024

Online Safety Amendment
(Social Media Minimum Age) Bill 2024 [Provisions]

Dear Sir/Madam,

“When a Library expels a book of mine and leaves an unexpurgated Bible lying around where unprotected youth and age can get hold of it, the deep unconscious irony of it delights me and doesn't anger me.” – Mark Twain

I am writing to register my strong opposition to the “Online Safety Amendment (Social Media Minimum Age) Bill 2024 [Provisions]” – hereafter known as the Bill.

“Governments were set up for three things : economic stability; the rule of law; and adherence to the constitution.”¹ Nowhere does it say that Governments or Government bureaucrats can dictate or assume parenting responsibilities on a whim of “online safety”. We (the electorate) did not elect you so we can forego all our parenting duties so Australia can become a nanny state you so desire.

I want to make that point CRYSTAL CLEAR!!!

Australia is a signatory to Article 19 of the International Covenant on Civil and Political Rights (ICCPR). Article 19 (2) states :

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”²

1 *Pauline Hanson – Selection of Bills Committee - Report -*
https://parlinfo.aph.gov.au/parlInfo/genpdf/chamber/hansards/28073/0178/hansard_frag.pdf

2 *International Covenant on Civil and Political Rights -*
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

Nowhere does it say that Government or Government entities can override or limit our freedom of expression. Nor does it say that Government or Government entities can filter unwanted content, be it social media, orally, writing or in print form. Unless the Government has plans to annul Australia as a signatory, introducing this Bill 'as is' goes against the spirit of the ICCPR.

Furthermore, this Bill has human rights implications that are not adequately addressed in the text. The Human Rights Commissioner Lorraine Finlay puts it succinctly :

"Kids have the same rights as everyone else when it comes to things like freedom of expression, freedom of association, right to education and health. This ban actually impacts on all of these things." Finlay also raised that enforcing the ban through age verification and assurance schemes means the rights of adult Australians could also be impacted.³

But it is not just the ICCPR and Human Rights that this Bill also affects. The wording of this Bill does not address Australians travelling abroad, nor does it address foreigners visiting Australia.

Will Australians travelling abroad be subject to Australia's Social Media Age Verification laws wherever they travel? Or will Australians enjoy the same freedoms as everyone else in the country they are visiting? Will foreigners visiting Australia be subject to Australia's Social Media Age Verification laws? Or will Australians be subject to a harsher restriction than foreigners?

Due to time constraints, I have only had time to scratch the surface of all the Bill's nuances that have not been thought of, nor taken into consideration legislatively. There are many situations where social media access for under 16 year-olds is justifiable "without" the Bill's roadblocks. (eg. Professional podcasting; online classroom meetings.) With the guillotining of the Bill through the Senate, along with one day for public submissions, I can only conclude that this Bill only serves one purpose - and that is to implement Digital ID to all Australians through stealth. Online safety for under 16 year-olds is a mere by-product of the Bill's true intentions.

It is for these reasons, that I must strongly oppose this Bill in its entirety. It is unworkable; runs afoul of treaties Australia is a signatory to; runs counter to human rights organisations and advocates who espouse freedom of expression in Australia; as well as the effect it will have on Australians and foreigners travelling abroad.

Sincerely,



Tom Thorp

contact@tomthorp.me

³ *'Being rushed through': Human rights commissioner sounds alarm on teen social media ban – Crikey (22nd November, 2024) - <https://www.crikey.com.au/2024/11/22/teen-social-media-ban-being-rushed-human-rights-commissioner-lorraine-finlay/>*