

From: [New Submission to Inquiry into anti-vilification protections](#)
To: [avpinquiry](#)
Subject: New Submission to Inquiry into anti-vilification protections
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Inquiry Name: Inquiry into anti-vilification protections

Paul Rogers
[REDACTED]

[REDACTED]

SUBMISSION CONTENT:

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I am concerned about the proposed racial and religious tolerance bill 2019 that has been referred to your committee

My main concern is in section 7 on the bill where it is hardening the threshold of the current law from 'incites' to 'is likely to incite'.

The main area that this bill will affect me is section 21. I run a few Facebook and whatsapp community groups which I can always not control or delete what people say 24x7. I try to remove troublemakers from the group where possible, but can't always do this straight away. This bill would make it more complicated to run these groups because I could be the subject of a tribunal order to disclose the contents of these discussions.

Current protections for defamation are sufficient protection against online abuse, as shown by recent court cases such as Dylan Waller versus News Corp in June 2019 (<https://mumbrella.com.au/can-you-be-liable-for-defamation-for-what-other-people-write-on-your-facebook-page-australian-court-says-maybe-586196>).

I agree that online abuse based on protected attributes needs to be prevented, but this legislation is not the solution. Community education is needed about respectful conversations online and in public places.

Regards,

Paul Rogers
[REDACTED]

p.s. Here is the amendment that I am concerned about.

Section 7 amended

(1) In the heading to section 7 of the Principal Act, for "Racial vilification" substitute "Vilification".

(2) In section 7(1) of the Principal Act—

(a) for "race" substitute "protected attribute"; (b) for "incites" substitute "is likely to incite"

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File1:

File2:

File3: