
Committee Secretary
Select Committee on Social Media and Online Safety
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Sir,

If the Government is so concerned about online safety and wellbeing (see e.g. <https://mumbrella.com.au/aus-gov-to-introduce-new-bill-making-social-media-platforms-liable-for-defamation-by-online-trolls-715391>), why does it maintain social media pages itself? If it does not want to encourage use of the medium, don't be there. This raises the question of all governments and their retreat from real world offices and service centres. This trend runs alongside banks and many other corporates we all must deal with (such as our electricity company) whose online footprint is growing at the expense of their physical footprint. This is all justified on grounds such as consumer convenience, innovation and, the like. However, this only works for those with the technical skills and income to fund computer hardware and software. Those without such capacity are increasingly being forgotten by their governments and communities in the 21st century.

This is the context through which to consider this inquiry. It's also time to stop considering social media companies as corporate entities. With billions of users across the world, they should be considered 'virtual' States in their own right, with budgets or financial turnovers to match. This might seem strange, however, based on public media reports I've heard, the Morrison Government will expect individuals to take up grievances directly with giants like Facebook and if this fails, to launch defamation action in the Courts. This would be too risky, expensive, and difficult for most people. The Commonwealth Government recognises the Vatican City as a State for diplomatic purposes. If it did the same with social media firms, there would be opportunities to place sanctions on people like Mark Zuckerberg and his lieutenants. The Government could also deny or limit social media entities access to carriage services, as part of any sanction regime and, issue 'use advisories' for social media platforms, just as DFAT (Department of Foreign Affairs and Trade) issues travel advisories. The only caveat on this, is that we would have to ensure that changing the legal character of social media platforms does not inadvertently grant their leaders immunity from prosecution. This could be 'carved out' in the legislation, so that social media leaders and staff can be prosecuted. Equally, the Government should stand in the shoes of complainants, instead of expecting individuals to run and fund their own claims.

Reform will also come when the Australian and other governments take social media platforms to the World Trade Organisation to access their behaviour in the world marketplace, of goods and services, as well as ideas and debate. Finally, if cigarette packets come with health warnings and prohibitions on use, perhaps social media should be treated the same way. The entities should be obliged to put regularly appearing and re-appearing safety warnings on their platforms, as well as being taxed so that social media platforms themselves pay for all harms caused.

This money should be placed in a compensation fund, just as has been done for child abuse victims.

Yours truly,



Adam

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https://law.mq.edu.au/current_students/

[higher_degree_research_students/adam_johnston/](https://law.mq.edu.au/higher_degree_research_students/adam_johnston/)

You can see my paper on the University of New England (UNE), Armidale e-publications at <http://e-publications.unr.edu.au/1959.11/11369> and the Social Science Research Network (SSRN) at:

<http://ssrn.com/abstract=1855924>

Libertas inestimabilis res est - Liberty is a thing beyond all price. (Corpus Iuris Civilis: Digesta) (Latin-English Phrase)