

**DISSENTING REPORT
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As the Australian Democrats' spokesperson for IT, I cannot support this Bill.

It reinforces and promotes mythology about the internet and cannot possibly achieve the outcome that it pretends to provide for.

This Bill is simply another foolish attempt to censor the internet, and will fail for exactly the same reasons that previous well intended but clumsy attempts at banning internet pornography and online gambling have been demonstrably unsuccessful.

It may be the case that if passed, the Bill will restrict the activities of legitimate domestic Voluntary Euthanasia (VE) advocacy groups, but with the click of a mouse, any PC user can access literally hundreds of thousand of pages of information on VE from overseas websites.

This Bill has no international reach.

Simply by typing the words, "How to Kill Yourself" into the Google search engine, I was able to access more than 7, 230 000 hits in 0.10 seconds. This includes the site, "How to Kill Yourself Using the Inhalation of Carbon Monoxide Gas," and which comes complete with pictures.

This Bill will not and cannot ban this site.

However, the Bill creates the extraordinary situation, whereby it may be deemed that simply providing VE information domestically constitutes unlawful "counselling" or "inciting" when provided via the internet (including e-mail), or over the phone, yet this is not unlawful if the same information is provided by regular post.

It means for example, that the VE Society of NSW, may find itself in breach of the law simply by advocating for the introduction of VE in State Parliament and discussing this online with members and supporters.

I suggest this is the real agenda behind those conservative and religious organisations which most push for this Bill. I predict it will likely result in civil disobedience, with VE groups around Australia daring the Commonwealth to prosecute them in an environment where the populace overwhelmingly supports VE.

The Bill also creates the bizarre situation, for example, that providing quotes and chapters of the book "Final Exit" by author Derek Humphry, via e-mail, may be unlawful, yet buying the book from a newsagent remains lawful.

Then there is the question as to whether purchasing this book from online company Amazon.com constitutes an offence under the Act. I suggest it may well do, even though it remains freely available in bookshops and libraries.

This is ridiculous and brings public policy into disrepute.

The Bill lacks rationale and consistency and demonises the internet. It also completely fails to address the causes of suicide or offers any suggestions to help mitigate against this tragedy.

Suicide is a difficult social issue, and more common with elderly people than with the young, as is the perception.

I have long had an interest in youth suicide prevention, particularly from the demographic of gay and lesbian youth. A shocking statistic is that up to one third of all 'same-sex attracted' youth, those who are lesbian or gay, 'questioning' their sexuality or perceived to be homosexual, attempt or succeed at killing themselves. One third.

Australian and international research has repeatedly shown that harassment, discrimination, intolerance and prejudice aimed at young people who are homosexual, or presumed to be so, is a key reason for youth suicide.

The Commonwealth and the States have, to varying degrees, recognised this phenomenon and taken some steps to address it. Counselling, support and self esteem programs, such as the "Working It Out" program in Tasmania are examples of this.

However, I note the harsh irony that many of the conservative religious organisations and individuals which made submissions in support of this Bill, are also some of the most vehement opponents of civil and human rights for gay and lesbian people, and host, refer to, or advocate websites that vilify homosexual people. This includes anti-gay websites which state or infer that gay and lesbian people are mentally ill, morally depraved, diseased and child abusers – amongst other things.

This anti-gay hatred and promotion is part of the problem that leads many young people to kill themselves. It contributes to an environment of fear and isolation many young homosexual people can face, and it can result in homophobic harassment and violence towards vulnerable youth. There is a link between the fear and loathing promoted by anti-gay groups, and the death of many young people. However, the Commonwealth remains silent on this nexus, despite its professed desire to limit suicides in Australia.

Conclusion

While I can support the committee's recommendations (1) & (2), as these will improve the operation of the Bill a little, I believe the Bill itself should be scrapped.

I can also support committee recommendation (4), but would argue that there is a particular urgency to address sexuality related suicide amongst young people, and which requires mandatory anti-homophobia teaching and training in schools, and proper resources for Gay, Lesbian, Bisexual, Transgender and Intersex (GLBTI), youth to access support, education and counselling.

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