



Concerned for freedom of expression and human rights in Hong Kong? Let's look to our own backyard first

By Campbell Markham

In June, the central communist powers in Beijing imposed new “security laws” upon Hong Kong. These laws criminalise “succession,” “subversion,” and “collusion.”

Given China’s ninety-nine percent conviction rate, those who are even charged with such offences face a lifetime in prison.

Australians have inherited a rich and hard-won intellectual inheritance of freedom of expression, so we can see how dehumanising these laws are. For what is a human being if we are unable to write and speak from the heart? Our freedom to discuss, argue, and fiercely debate is fundamental to our humanity and human progress.

But before we weep for Hong Kong let’s look to our own backyard. For in Tasmania we live under laws that are no less insidious and dehumanising.

I am talking of course about the sinister Section 17 of the Tasmanian Anti-Discrimination Act, which exposes Tasmanians to prosecution for any “conduct which offends, humiliates, intimidates, insults or ridicules another person” on the basis of certain protected attributes.

This law menaces Tasmanians not for what we say, but for how others feel about what we say. We may speak “with the tongues of men and of angels,” but if another feels themselves to be offended, insulted, or ridiculed, then we are exposed to the hell of an anti-discrimination action, which can go on for months and years, and be financially devastating.

The latest victim of the Act is David Gee, who has been street preaching in Hobart’s Elizabeth Street Mall since 2012.

A complaint has been brought against Dr Gee for remarks he

made around so-called “conversion therapy.”

Gee had the audacity to suggest that if a person with same-sex desires would rather not have those desires, then they ought to be able to find someone to help them with that.

In Tasmania, a person can choose to change gender, and will be offered significant psychological, chemical, and surgical help to do so. Yet suggesting that someone may want to change their sexual desires has become, thanks to an unhappy listener and Section 17, a prosecutable act.

If Dr Gee had said that those with unwanted heterosexual desires ought to be able to find help in changing those desires, or that someone born into a Christian home ought to be able to find help in overcoming their unwanted beliefs, then he would not now be facing prosecution.

The complainant says, “I would like a formal apology to be made and a fine issued to Mr Gee”, but “would settle for the apology and removal of Mr Gee from this public platform of speech.” I know David. He will never apologise, and nor should he. If the complaint succeeds he faces ruinous fines and jail time.

No one should be free to broadcast public lies with impunity, or harangue a mob to murder and destroy, and most Western nations have long had good laws that prohibit defamation and incitement to violence.

Laws which go beyond this though, which restrict freedom of expression, are a serious blight on our human and democratic freedoms.

The best way to deal with a bad idea is to let it be expressed. Bring all ideas into the forum, let them be heard and analysed,



tested and argued, refuted or proved. That's how humanity progresses and grows.

Hong Kong's new "security laws" should outrage us. They will shroud the truth, atrophy thought, and put humanity in the shadows.

Tasmanian anti-discrimination laws are no less dehumanising and harmful.

If we are only free to say what another person may not find offensive, then we are not free at all. If we do not stand with people like David Gee, then, whether we love him or loathe him,

we give up the principle of free expression for all.

It is time for our parliamentarians, guardians of our liberty and democracy, to repeal Section 17, and to recover our freedom of expression.

Unmuzzle us. Let us speak.

*Campbell Markham is pastor of Cornerstone Church in
Tasmania.*