

The Australian Government agency policing tweets on breastfeeding



REBEKAH BARNETT
MAY 26, 2023



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Earlier this week I reported on a series of [document releases](#) revealing that the Australian Government had colluded with Big Tech platforms to censor online speech related to Covid. Several days later, the [Australian edition of the Twitter Files](#) dropped, and we gained insight into the stunning micromanagement of the speech of everyday Australians that the Department of Home Affairs had undertaken.

Now, we have an Australian Government agency reporting tweets on breastfeeding.

“Controversial tweets saying biological men cannot breastfeed have been removed in Australia at the behest of the government,” [reports](#) the Daily Telegraph.

Controversial breastfeeding tweets removed from Australia at behest of the government

Controversial tweets saying biological men cannot breastfeed have been removed in Australia at the behest of the government — but critics say it's censorship.



Clarissa Bye

@clarissa_bye



2 min read



May 25, 2023 - 3:53PM

Daily Telegraph

The offending tweets, posted by Australian breastfeeding advocate [Jasmine Sussex](#), were criticisms of a media article about a transgender woman's attempts to lactate.



From the Daily Telegraph,

Twitter sent a legal notice to Ms Sussex on May 16 and 17 saying the “Australian Government Entity or Law Enforcement Agency” had written to Twitter and claimed the account holder had

violated Australian law.

In the tweets she criticised a media article about a transgender woman's attempt to induce lactation, saying that the silver lining of the story was that the baby would be almost exclusively formula fed.

In another tweet she stated: "Baby's can smell their mother's milk and turn towards it. This baby sleeping through his dad's sad attempt to be the mum."

Ms Sussex's tweets cannot be viewed in Australia, but they can still be viewed in other countries.

Subject: Twitter Notice of Withholding

Hello @jazzmoi3,

This is a follow-up to our correspondence, dated 16 May 2023., regarding your Twitter account, @jazzmoi3.

In order to comply with Twitter's obligations under Australia's local laws, we have withheld the following content in Australia; the content remains available elsewhere:

<https://twitter.com/jazzmoi3/status/1657197407430668290>

For more information about our Country Withheld Content policy, please see this page:

<https://support.twitter.com/articles/20169222>.

As Twitter strongly believes in defending and respecting the voice of our users, it is our policy to notify our users if we receive a legal request from an authorized entity (such as law enforcement or a government agency) to remove content from their account. We provide notice whether or not the user lives in the country where the request originated. This help page provides more information:

<https://help.twitter.com/en/rules-and-policies/defending-and-respecting-our-users-voice>

We understand that receiving this type of notice can be an unsettling experience. While Twitter is not able to provide legal advice, we want you to have an opportunity to evaluate the request and, if you wish, take appropriate action to protect your interests. This may include seeking legal counsel and

While Covid online speech was monitored by the Department of Home Affairs and the Department of Health, it is likely that this incident was actioned by the [eSafety Commissioner](#), Australia's national independent regulator and educator for online safety, including issues of abuse (child, sexual, revenge porn) and bullying.

A spokesperson for the eSafety Commissioner stressed that they do not surveil speech on the internet. The eSafety Commissioner rather has a more passive structure, whereby they are tasked with acting on reports initiated outside of the agency (eg: by the public).

The likely scenario is that a member of the public reported Ms Sussex's tweets as 'bullying', and the eSafety Commissioner received the reports and issued a takedown request with Twitter, which Twitter then actioned. Ms Sussex has lodged an FOI request to confirm whether it was indeed the eSafety Commissioner that lodged the removal request.

The issue here is not whether moderation is required. It is required. From the little insight I have into the extent of online child exploitation and abusive content in Australia, I can only imagine the eSafety Commissioner does a lot of good and necessary work.

The issue is rather, where is the line around 'what requires moderating'?

A spokesperson for the eSafety Commissioner states,

"When responding to a complaint about adult cyber abuse under the Online Safety Act, the eSafety Commissioner must assess whether an ordinary reasonable person would conclude that the post was likely intended to cause serious harm and is menacing, harassing or offensive in all the circumstances.

Material targeting a person on the basis of their sexuality, ethnicity, disability, or gender identity may be specifically intended to cause this level of harm."

If tweets containing a breastfeeding advocate's opinion about a trans woman's attempt to lactate can be declared unlawful on the basis that they constitute "material targeting a person" because of their identity, what other kinds of speech might be declared unlawful under these parameters?

This week, I discussed the Australian Government's censorship activity with Senator Alex Antic, whose [FOI request](#) to the Department of Home Affairs triggered this news cycle. Senator Antic mused, "is this the tip of the iceberg? Where does it end?"

That's a great question.

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Tony Ryan · Writes oziz4oziz's Newsletter · 2 hr ago

I am a firm believer in taking one step at a time. Our first step here is identifying the person who imposed this absurd ruling. It does not really matter how far up or down the feeding chain this person regulates from. We need a name. Then we can target up or down the chain as seems appropriate.

This activity must end, and it must end now.

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Elizabeth Hart · Writes Vaccination is political · 2 hr ago

What the last few years has brought to the fore is the extraordinary degree of control and regulation imposing on our lives.

I thought we were a free people, and I'm sick of this increasing government overreach.

I didn't consent to this control by thought police - how do we stop it?

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