

Submission to the Proposed Misinformation and Discrimination Legislation

I vehemently oppose this legislation. If it successfully becomes the law, it will establish a bureaucratic Committee possessing an unfettered discretion to determine what is or is not a genuine contribution to community debate. It alone would have the power to prosecute its decisions and impose substantial penalties without recourse to appropriate legal processes to defend an adverse determination. In short it would be the sole arbiter of the truth!

Social media websites would also be exposed to prosecution and significant fines for allowing public comments on their sites the Committee would likely consider to be the subject of their adjudication, creating a quasi-regulatory effect that would influence media operators not to publish material that may become the subject of the Committee's attention. A further indirect method of controlling free speech.

The legislation is a brazenly outrageous attempt to regulate free speech. Through the federal government's ability to appoint a committee membership favourably disposed to its political intentions and exempting itself from the scope of the Committee's powers, it effectively allows the government of the day to publish material and opinions in the social arena exempt from the Committee's decision that would be inclined by the public to be accepted as fact due to the effective prevention of public scrutiny for fear of prosecution.

The subject scope of the proposed legislation is also unlimited but more importantly determined by the Committee without redress. Following is an excerpt from the draft legislation relating the scope of "Harm".

"Harm means any of the following:⁷

- (a) hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age,⁹ religion or physical or mental disability;¹⁰
- (b) disruption of public order or society in Australia;¹¹
- (c) harm to the integrity of Australian democratic processes or of¹² Commonwealth, State, Territory or local government¹³ institutions;¹⁴
- (d) harm to the health of Australians;¹⁵
- (e) harm to the Australian environment;¹⁶
- (f) economic or financial harm to Australians, the Australian¹⁷ economy or a sector of the Australian economy."

What are the limitations of "public order or society"? Most contentious issues relate to this subject matter. Does this mean comments opposing young children being exposed to explicit sexual material or gender change information in schools be considered a "disruption" or an infringement an "infringement of public order".

Does “harm to the Australian environment” include the elimination of debate opposing climate change issues or the rebuttal of radical environmental directions advocated advanced by Green activists.

“(f) economic or financial harm to Australians, the Australian economy or a sector of the Australian economy.” can be construed to encompass a multitude of subject matters all of which can be determined by the Committee!

It is vital this legislation must be opposed, to endorse it would effectively succumb to surrendering free speech as we know it.