

Submission regarding Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023

There are many problems with the idea of limiting “Misinformation” or “Disinformation”.

Things change, there is a saying I believe from the author Isaac Asimov: “*Today’s science fiction is tomorrow’s science fact*”. Let’s look at the real scenario that occurred, spraying humans with the pesticide DDT. There is a news article available which can provide more background available here: <https://www.dailymail.co.uk/news/article-5467597/Children-sprayed-dangerous-pesticide-DDT-shocking-clip.html#:~:text=Shocking%201940s%20video%20shows%20how,kill%20mosquitoes%20and%20end%20Polio&text=Shocking%20footage%20from%20the%20mid,pesticide%20DDT%20has%20re%2De%20merged>

In short, the USA used to spray humans with DDT to protect them from mosquitos and therefore reduce the risk of contracting polio. The Government thought this was a great idea, and science at the time supported these actions.

As the world progressed, more studies were undertaken on DDT which had findings resulting in the eventual ban on spraying DDT on humans. The science soon supported the case that DDT could cause the following problems: *breast and other cancers, male infertility, miscarriages and low birth weight, developmental delay and nervous system and liver damage.*

If people get sprayed with DDT and they soon after develop cancer, it’s not an entirely irrational thought to suggest that the DDT may have caused the cancer. Someone may take to social media and say something along the lines of “I got sprayed with DDT and then I got cancer, I think the DDT gave me cancer!”. The Government acting under the guise of removing “misinformation” may well force the removal of this post, thus eliminating the ability for society to see and perhaps act on what they are reading.

Let us look at the case where 1000 people suddenly come forward with stories in which they got sprayed with DDT and soon developed cancer. Surely after enough voices speak up, the scientific community would then put more focus on the study of DDT and indeed discover that DDT may cause cancer, as is now the widely recognised view. If we were to remove the 1000 posts from the people who spoke out, the scientists may never become aware of the issue and may never be prompted to study DDT more closely for these adverse outcomes.

As we all know, bureaucracy works at snail pace. The Government may like to think of itself as fast and agile, however time has shown it is anything but. Before the Government can decide anything, there must be an investigation by a body like ATAGI, a report/recommendation produced which then informs the Government on how to proceed moving forward. This is not necessarily a bad process, however after 3 months waiting for a report from ATAGI, 200,000+ people have already been exposed to something and now have cancer or whatever. It is not a process that can react to the science of the day.

It may be the case that what the Government today considers to be “misinformation” turns out to be just information, and the Government’s own actions of trying to suppress what it believes to be

“misinformation” ends up itself harming Australians. This is not a good position for the Government to be in and it is detrimental to the people of Australia.

Whilst it is true that here in Australia we do not enjoy constitutional rights that enforce the right to free speech such as our USA friends enjoy, there is a general agreement on the basis of Human Rights that we allow freedom of speech as long as it is not hate speech, threats or defamatory. The idea that speech can be removed from social media on the basis of it being “misinformation” goes against the principles of free speech.

In my opinion, in a society that does not censor speech, and I believe a truly free society does not censor speech, and I believe that the best means of combating “misinformation” and “disinformation” is to provide information.

We already see this solution in action today. During the COVID-19 pandemic, we saw platforms such as Facebook identifying posts related to the COVID-19 vaccine and including a link to the Government official view about COVID-19 vaccines. I believe that this is the best approach because it allows people to continue to have their say under the principles of free speech, and it also provides readers with the opportunity to see the Government’s view which may be contradictory. The individual now has both views and can make their own decision.

When the Government says that it wants to remove “misinformation”, what the Government is really saying is that it wants to remove the ability for us to think for ourselves.

it is a dangerous line to cross for the Government to start censoring speech, because anything the Government of the day doesn’t like or support could be categorised as “misinformation”.

An example of this can be seen in the Brittany Higgins saga. Public opinion is widely accepted now that the Labor Government used Ms Higgins to create a political weapon against the Government of the day (LNP). Labor might say “anyone who says we weaponised Ms Higgins against the Coalition is spreading misinformation!” and then it starts to censor the voices of people making such suggestion. It’s just not great, any method of censorship can and will be abused by the Government of the day to suit their agenda.

I believe that legislating a requirement for Facebook et al. to continue to provide information disclaimers on a post, whenever a post that is considered “misinformation” is reported, is going to be the significantly better option for our society, as opposed to this bill which seeks to provide the Government with greater powers of censorship. I think any politician that supports this bill will see it used against them when they are not the Government of the day, it is just far too easy for the definition of “misinformation” to be twisted to suit an agenda. Dangerously easy, this bill is an ignorant proposition.