

## Submission on the draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

The proposed Bill should address the following issues:

- The government in all its forms (Members of Parliament, departments and agencies at federal, state and local levels and those working for them) should not be exempt from this Bill. This is because the government is also capable of promulgating misinformation in the form of propaganda to impose a belief that is not backed up by independent research and knowledge.
- We should have a fundamental right in Australia to free speech and independent thinking that diverges from government propaganda and positions. Anything less than that right threatens to institute a totalitarian society in which government policy and opinion cannot be threatened.
- A better approach would be to encourage free speech and debate and adequately address concerns when raised rather than just labelling those concerns misinformation and disinformation.
- The Bill should be limited to clearly identified misinformation and disinformation by foreign powers aimed at destabilising Australian society and should not cover private citizens and residents expressing their opinions or alternative research to the government narrative.
- While the ACMA will not have the power to request specific content or posts be removed from digital platform services, it will have that consequence by imposing fines on digital providers.
- A better way to combat misinformation and disinformation is by having full and frank discussions of all sides of an issue, all opinions and all research and this Bill seems aimed at preventing that discourse.
- This Bill does not respect Australians and their ability to make up their own minds on issues and instead seeks to impose a nanny state of control over citizens and residents. It more than implies that Australians are unable to critically think about issues and come to an opinion.
- This Bill implies that people should not be allowed to express an opinion that diverges from a government-led narrative.
- This Bill is similar to that being proposed by other countries, in particular the USA, where this type of legislation has been found by Judge Terry A. Doughty of the U.S. District Court for the Western District of Louisiana to be an attack on free speech and a bid by the government to silence any opposition to its views. The Australian government should carefully consider if it wants to go down the path of suppression of freedom of speech.
- If the proposed Bill proceeds, it should be restricted to posts detailing crimes, national security threats or foreign attempts to influence elections only and not relating to individuals having different opinions to the government of the day.