

Submission re: draft of Combatting Misinformation and Disinformation Bill

I am an Australian citizen who is alarmed by the draft of Combatting Misinformation and Disinformation Bill, which effectively reduces the freedom of speech on which our nation has been based. Aggressive and sometimes volatile but never violent discussion and disagreement has led to new understanding and sometimes acceptance of another person's view and beliefs, this is healthy way for people of differing views to come to understand each other.

The draft legislation is about controlling disinformation and misinformation, if one is to truly know what these are there must be a definition of these words as well as the words information and truth.

The definition of **misinformation** according to the oxford dictionary is

*'False or inaccurate information, especially that which is **deliberately intended** to deceive'.*

The definition of **disinformation** based on the oxford dictionary is

*'false information which is **intended to mislead**, especially propaganda issued by a government organization to a rival power or the media'.*

The definition of **information** according on the oxford dictionary is

'facts provided or learned about something or someone'

The definitions of **truth** from oxford dictionary are

'the quality or state of being true.'

'that which is true or in accordance with fact or reality'

a fact or belief that is accepted as true.

In clause 7 of the draft, the definition of **misinformation** identifies the first part of the Oxford definition and adds *is reasonably likely to cause or contribute to serious harm* but omits the intentionality of the person sharing the information.

In clause 7 the definition of **disinformation** acknowledges the information to be false, misleading or deceptive and is intended to mislead but adds *is reasonably likely to cause or contribute to serious harm*.

If the definitions of **information, misinformation or disinformation**, from the oxford dictionary are accepted, then any information a person has learned about a topic is not **misinformation or disinformation** unless they intentionally or deliberately intend to mislead someone.

What is **truth**? It would seem that truth is relative in our country and is based on what the individual chooses to believe about something and not as stated in the English dictionary as being based in **facts or reality** or accepted as **true**. The following is an example of the way Australia has accepted the changed definition of a word that was historically accepted as true

The Oxford, Webster and Cambridge dictionary definition of a **women** is *an adult female human being*. In Australia today according to LGBT foundation a woman *can be anyone who identifies as a woman* this is subjective definition based on feelings not facts and doesn't take into consideration the accepted facts about gender such as women having XX chromosomes, having ovaries, and a uterus attached to a vagina which makes it possible for a woman to give birth to a child.

If truth is relative then misinformation and disinformation are relative based on an individual's personal beliefs about a topic.

If a young person considering transitioning to the opposite gender, than the one they were born with, is told that 'puberty blockers are reversible' <https://www.healthline.com/health/are-puberty-blockers-reversible>, that in my opinion is misinformation and disinformation as 'the effects on the brain are largely unknown' (<https://app.dimensions.ai/details/grant/grant.8675580>) . Studies have shown this not to be true in terms of what happens to the body and brain of a young person as outlined in this article <https://www.iwfb.org/2022/12/13/puberty-blockers-were-never-reversible-or-temporary/>.

This information also has the potential to cause harm as there are no longitudinal studies to back the claim that they are reversible, so the statement 'puberty blockers reversible' should be classified as misinformation. My concern is that this statement will not be said to be misinformation as the issue of gender is such a hot topic, our politicians cannot define what a woman is for fear of offending a minority in our country and so to categorise this statement as misinformation would be difficult as it is what is being seen as truth although the facts of studies and time do not back this up.

Who will decide what is truth/ misinformation/disinformation? Will those who decide on what is misinformation/ disinformation come from a wide variety of backgrounds and belief systems or will they represent a certain section of our society?

Will the topics monitored to find out what is misinformation/disinformation cover all topics and all users on digital platforms, or will certain groups such as those who hold traditional values, pro-life organisations, Christians, Muslims, covid dissenters and others who question what is happening in our country or world be targeted?

I have great concerns about this draft legislation,

That it will represent the views of certain groups not a cross section of society

Will not hold governments accountable for misinformation and disinformation they share.

That it will squash freedom of speech as digital platforms censor content to avoid litigation and fines.

Will target certain groups.

Will put vulnerable people at risk because they are not given valuable information.

Will in effect cause harm to the people it is seeking to protect by not giving them a balanced set of information to allow them to make informed decisions.

Australia has always been a country where debate and discussion about controversial topics has been expected and encouraged. Currently we have our Prime Minister saying that those who oppose the Voice legislation are disseminating misinformation and disinformation, just because they oppose what the government is proposing. Are people now to be afraid to speak for fear of reprisals from government bodies such as the ACMA, who will have the power to fine digital platforms such as search engines, news aggregators, social media and podcast services up to \$6.8million or 5% of their global turnover and individuals are also liable to fines, whilst the legislation will not apply to the government.

I believe this draft legislation is another step towards government control of our thoughts and beliefs and has a pecuniary aspect to ensure we comply with what the ACMA sees as misinformation and

disinformation. I am vehemently opposed to putting this type of power into the hands of a few flawed human beings.