

Feedback on the *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023*

I am concerned that the *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023* ('Bill') impinges unreasonably on freedom of speech and democracy.

According to the Fact Sheet, the Bill includes strong protections for privacy and freedom of speech, specifically:

- *the Bill is directed at encouraging digital platform providers to have robust systems and measures in place to address misinformation and disinformation on their services, rather than the ACMA directly regulating individual pieces of content*
- *the ACMA will not have the power to request specific content or posts be removed from digital platform services*
- *rules made under the Bill may require digital platform services to have systems and processes in place to address misinformation or disinformation that meets a threshold of being likely to cause or contribute to serious harm*
- *the code and standard-making powers will not apply to authorised electoral and referendum content and other types of content such as professional news and satire*
- *private messages sent on instant messaging services will not be within scope of the powers.*

I am concerned that there is no democratic process to decide what is considered 'misinformation' and 'disinformation' – this is decided by via a code of practice developed and implemented by social media companies. This means a select few will be deciding whose voice should and can be heard. I understand social media companies already practice censorship of 'misinformation' and 'disinformation' and I believe legislated censorship is an another step in the wrong direction for Australian democracy.

Social media platforms should be a space for people to express and discuss their views, ideas and opinions without censorship provided people's privacy is respected. When this is done in the spirit of trust, openness and with bravery, we are able to find the truth together. People will lie, exaggerate and mislead, sadly, this is the world we live in. Censorship via the Bill will not solve this problem, nor is it the right vehicle to prevent 'serious harm' to the Australian population, economy, environment or Australian democratic process – as is intended. What happens when we silence wrong voice? Could this not result in serious harm?

We need more openness to discussion, more bravery in the face of our realities being challenged, more kindness and understanding and a greater commitment to speaking the truth. These are problems that need to be solved on the grassroots level, in all of our human interactions – modelled by each one of us and especially those of us most visible – the many leaders of this nation. Serious harm from untruth or 'misinformation' and 'disinformation' cannot be prevented via a top down authoritarian censorship, in fact I believe it stands in the way of our opportunity to address it.