

Feedback on an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

Firstly, I wish to acknowledge the importance of addressing misinformation and disinformation, however I have concerns about the draft Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023. The Bill as outlined raises some significant issues that require attention before such is finalised for introduction to Parliament.

Definitions of the terms misinformation and disinformation are ambiguous. As such the Bill offers definitions that are open to interpretation and subjectivity. Given the looseness of the guidelines they are open to arbitrary decisions being made, which further stifles the opportunity for public debate and challenges.

Threats to Freedom of Speech. Giving the Australian Communications and Media Authority (ACMA) the power to enforce codes of practice and industry standards risks the suppressing of differing views and stifles healthy debate. Adding to this the proposed powers being extended to digital platforms raises major concerns that attempts will be made to ensure a one size fits all approach to the vastly diverse views of Australians.

This Bill seems directed at social media which has presented a challenge to us globally as the access to it and its reach extends exponentially, challenging mainstream media in particular as social media provides an outlet for social engagement and open discussion.

I acknowledge there are lots of things on social media that should not be there and much of the extreme harms should be monitored by the platform itself. However, when there is a law using broad terms that are open to interpretation, it is vital to examine carefully whether the benefit of taking/forcing down those few things that may harm outweighs what is lost in terms of freedom of speech (social engagement, open debate, learning to choose not to engage, learning resilience etc).

It is the stifling of human debate that concerns me the most: this seems to be an attempt to control human beings' rights to share views openly, to debate, to learn to make mistakes, to stand to be corrected, to be willing to consider that they are not always right, to tolerate conflicting views, to learn to agree to disagree, to learn when to disengage, to learn accountability and responsibility for their actions and thoughts. It is this process of debate that fosters the development of evaluative and critical skills which enhances initiative and creativity – all essential ingredients of our growth, not just as individuals, but as a national and global community.

If a centralised body, such as ACMA, decides what you can be exposed to in terms of ideas, content, topic etc, it serves to stifle the opportunity to engage in essential healthy human debate whereby we develop these vitally important skills such as respect, resilience and compassion. The development of these skills should be inherent in our education system instead of needing to pass a Bill that removes the need for it by stifling our freedom to speak, make choices and decisions, feel heard, and respectfully learn to agree to disagree – this needs to be taught, not bypassed by a body that does your thinking for you.

Why do we need such controls I ask myself particularly when we have just witnessed three years of so-called misinformation and disinformation being openly suppressed in our best

interest of health. This suppression is now being challenged by freedom of information requests revealing most of this misinformation/disinformation as truth. For example, being told to wait for the only way out of the pandemic in the safe and effective vaccine, only to discover that treatments did exist and were highly successful, and that the █████ documents reveal their vaccine trials as resulting in many questions about safety and efficacy.

Had we been able to openly debate viewpoints, listen to each other, agree to disagree, accept differing approaches we would not have had to wait for such documents to confirm that there may be many people who are likely to suffer significant adverse events, including death. The focus on aspects such as ensuring no hesitancy led to centralised government misinformation about safety and efficacy. The misinformation we were being withheld from seems to have become the truth. How can we be sure ACMA is not going to fall into the same 'one size fits all' single-minded focus on issues, depriving us of healthy debate of differing viewpoints and information that may be really important for our survival?

Such a Bill has censorship inherent in it – a direct attack on our freedom and enhances the centralisation of power into the hands of a few, who are supposed to be serving us, the People of Australia whose needs, character and maturity evolve through open debate and challenging diverse viewpoints. Balancing the need to combat misinformation/disinformation whilst maintaining freedom of speech, right to privacy and fostering resilience innovation and creativity, requires that this Bill be thoroughly reviewed and openly debated so as to be transparent about its processes and intended outcomes.

Thank you for this opportunity to express my thoughts openly.

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