

To: The Department of Infrastructure, Transport, Regional Development,  
Communications and the Arts:

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Submission on the Communications Legislation Amendment  
(Combatting Misinformation and Disinformation) Bill 2023

1. I object to the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 and this Bill should be abandoned.

2. Let us always remember the famous quote about freedom of speech by Voltaire. The philosopher Voltaire said:

*“I may not agree with what you have to say, but I will defend to the death for your right to say it.”*

3. Also the Universal Declaration of Human Rights that was adopted by the United Nations on 10 December 1948 includes Article 19 which states (in full):

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”*

4. I am of the strong view that the proposed bill undermines my freedom of speech by attempting to ‘balance’ my fundamental human right with the notion of combating so-called ‘misinformation’. My fundamental human rights cannot be balanced against anything.

5. Most importantly, how can anyone be the sole arbiter of the truth without serious rigorous and ongoing debate from both sides of a particular topic. Therefore determining what qualifies as so-called ‘misinformation’ is clearly subjective and entrusting a government agency to decide truthfulness (at a particular point in time) raises serious concerns for our democracy in Australia.

6. I am of the view that the bill grants excessive control to unelected officials in this government agency and will lead to censorship. Furthermore, if the bill does proceed then there must be no provision included in the Bill for “excluded content for misinformation purposes”. It is time for all content producers to be truthful and fully accountable.

7. Alternative approaches should be explored that do not infringe upon my freedom of speech.

Adrian Giacobetti  
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