

This draft bill has been put forward with the stated intent of "tackling harmful online misinformation and disinformation, while balancing freedom of speech", however the regulation of information should not be understood as a matter of balance. Regulations that include the suppression of information and its communication in the name of "tackling harmful online misinformation and disinformation" are problematically subjective and do away with all true freedom as soon as they are enacted. Any bills put forward with the intent of discouraging lying, manipulation and the like in the public sphere must allow for complete freedom of information and therefore should not rely on suppression or legislated arbitration of information or communication.

Allowing freedom of thought is critical in respecting basic human dignity. This means that all people must be allowed to contribute to the 'free market' of ideas and information, including being afforded the freedom to put forward bad ideas. This is the core of liberal democracy, of which Australia is based on. This bill presents as a pursuit of the opposite of these ideals. It is also a significant deviation from the roles that government and its organisations play in Australian life. It has been described by some as authoritarian and even totalitarian, in the spirit of the 'Ministry of Truth' from George Orwell's '1984'. The key problem with any legislation like this is that it assumes that 'misinformation' and 'disinformation' can be objectively defined by a central authority such as a social media platform, fact checking organisation, government or ACMA and that anyone else who thinks differently does not matter, or is a threat.

There are many significant historical examples of ideas put forward by philosophers and scientists that were at the time strongly resisted as false, but are now commonly accepted as true. The same goes for ideas that were considered true in the past, which have now been disproven. History has shown that societies thrive when information and communications are not suppressed and freely exchanged in the same way that the free trade of goods and services allows for the best matching of supply to demand. In contrast, attempts to restrict such freedoms frequently inhibit the growth of knowledge, technology and prosperity and instead lead to frustration and unrest.

Claiming that the ACMA or anyone else's opinions and perceptions of reality are the benchmark for truth is an assertion of intellectual and moral superiority. This is both undemocratic and un-Australian, in that it is not in keeping with the above ideals of human dignity and freedom in liberal democracy. Allowing an exclusive body to make determinations of 'misinformation' and 'disinformation' is inherently unreliable and biased—unless the individuals involved are never wrong and immune to falsehood, presumably unlike the general population they will be presiding over. While it may be debateable if certain content online is 'misinformation', it may not be able to be determined by public debate under this bill.

While biases and prejudices can be somewhat mitigated by increasing the size of a body to include more individuals from a range of diverse backgrounds, more reliable accountability can be found through free and fair discussion from ALL people in the general public, not any one specific authority.

It seems to me that through regulating and suppressing information and ideas of Australians online, the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 would not be good for our democracy, society or economy.