

New ACMA powers to combat misinformation and disinformation

I object to this draft bill on the following grounds:

1/. By setting unclear poorly designed standards this draft bill will have an effect of contravening Australia's requirements to comply with UN article 19 Universal Declaration of Human Rights. As example while defining "Harm" the bill uses the term hatred which is an equally unclear standard. Other unclear standards refer to politics, democratic processes, elections etc.

2/. Many governments, academics, tech corps and individuals from around the world have studied how to regulate social media content with the overwhelming conclusion that any legal prescription will have an effect on freedom of speech and therefore contravene UN article 19. A casual google search using phrases such as fake, misinformation, disinformation on social media will yield hundreds of studies and reports.

3/.The USA Biden administration has recently had the following legal challenge to its attempts to control social media content. The injunction forbids numerous federal agencies including the FBI, the Justice Dept and DHS as well as the White House staff from communicating or meeting with social media companies for the purpose of urging, encouraging, pressuring, or inducing in any manner the removal, deletion, suppression or reduction of content containing protected free speech posted on social media. I would suggest that Australia cancels any proposed laws until this is sorted out in the USA. The "Twitter Files" have exposed several US Federal agencies for corrupting free speech as enshrined in the UN article 19. Will the ACMA do the same?

4/.The draft bill does not apply to governments own posting to social media. As though the government is somehow the arbiter of truth. Many examples of incorrect or false postings exist but the classic example pertains to Covid19 vaccinations preventing transmission. We all now know this was false. Giving governments this power to post untruths without consequence is the most dangerous aspect of this draft bill.

5/. This request for more powers came from the ACMA. Not from public demand. The complexity and volume of verbiage in this draft points to a government unable to lasso the problem with the minister hand balling the issue to bureaucracy. Laws this complex and open to interpretation and conflicting to UN charter will never work.

6/. The Fact Sheet-Key Points does not align with the effect of the draft bill. Example: “*The ACMA will not have powers to remove specific content to be removed*” The powers given to the ACMA will have this effect because social media companies will er on the “cancel post” preference because of the onerous penalties connected to the ACMA powers.

PROPHECY.

George Orwell (Eric Blair) via his then wife who worked for the UK government during WW2 became aware of the Ministry of Truth set up to combat Nazi propaganda. Its use for this purpose at that time was entirely appropriate. But its methods could during peacetime be used by government as a control tool. This insight led to his prophetic writings in the novel 1984.

STATEMENT

I will fight for everyone's right to free speech regardless of whether I agree with their ideas or not.

I therefore recommend instead of this bill the following guidelines be published to guide users of social media.

“Sticks and Stones may break my bones but words, ideas or opinions will never harm, influence, insult or offend me”

Toughen up Sweetheart.

Problem solved.

David Graham

