

My comments are in red.

## Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023—fact sheet

Misinformation and disinformation spread via digital platform services is a major issue worldwide. The rapid spread of false, misleading and deceptive information online has resulted in a multitude of harms from disrupted public health responses to foreign interference in elections and the undermining of democratic institutions. The ACMA recommended the government provide it with a graduated set of new powers to combat misinformation and disinformation across the sector. These powers would increase transparency and ensure that digital platform services are held to account if voluntary industry efforts prove to be inadequate.

You have made the above claims without giving any evidence for or examples of these claims. How will this bill increase transparency? Many things have been classified as misinformation and disinformation and censored on online platforms, only to be found to be the truth. There has been no recourse for those falsely accused of false, misleading and deceptive information online. There was never any evidence given for the so called misinformation and disinformation or the harm that was caused by the so called misinformation and disinformation.

Below is your list of exclusions. You are assuming that the people in categories (b) to (e) are infallible and will never produce false, misleading and deceptive information. This is blatantly false as seen by the governments' responses in the recent pandemic and the harm that was caused to many Australians and the Australian economy.

***excluded content for misinformation purposes*** means any of the following:

- (a) content produced in good faith for the purposes of entertainment, parody or satire;
- (b) professional news content;
- (c) content produced by or for an educational institution accredited by any of the following:
  - (i) the Commonwealth;
  - (ii) a State;
  - (iii) a Territory;
  - (iv) a body recognised by the Commonwealth, a State or a Territory as an accreditor of educational institutions;
- (d) content produced by or for an educational institution accredited:
  - (i) by a foreign government or a body recognised by a foreign government as an accreditor of educational institutions; and
  - (ii) to substantially equivalent standards as a comparable Australian educational institution;
- (e) content that is authorised by:
  - (i) the Commonwealth; or
  - (ii) a State; or
  - (iii) a Territory; or
  - (iv) a local government.

Below is your list of harms. How do you intend to show that what is considered misinformation and disinformation by ACMA is causing harm?

***harm*** means any of the following:

- (a) hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion or physical or mental disability;
- (b) disruption of public order or society in Australia;
- (c) harm to the integrity of Australian democratic processes or of Commonwealth, State, Territory or local government institutions;
- (d) harm to the health of Australians;
- (e) harm to the Australian environment;
- (f) economic or financial harm to Australians, the Australian economy or a sector of the Australian economy.

Will ACMA be required to prove with solid data that a thing is false, misleading and deceptive and harmful information? It doesn't appear so. How is this increasing transparency?

This bill is not needed. It will cause more harm than good. Like some laws it will have serious unintended consequences.

It is a restriction on free speech. The penalties are grossly excessive. It is a grave overreach by the government and it assumes that Australians cannot think for themselves and need protection from ideas and information. If ACMA believes that something is misinformation and disinformation that can cause harm then they should present their evidence, but they should not censor or penalise anyone.