

23/07/2023

Dear Australian Communications and Media Authority,

I do not agree to the proposal in its current format as it does not align with democratic values and there are many more effective and ethical ways to higher the standards of media & online platforms.

Potential negative unwanted side effects

1. Where an individual is aware of potential censorship, people with certain beliefs considered false or 'extreme' are more likely to turn to the dark web and access information in a manner that may be significantly more harmful.
2. Currently law enforcement can use media to monitor chatrooms etc. When there is more censorship, it will likely make the job of law enforcement more difficult (think terrorism). Certain beliefs will not go away, people will find different ways to communicate with others, such as encrypted apps or phone's.
3. Most western countries are currently experiencing a significant shift to the right side of politics due to perceived or real censorship. There's a risk any form of legislated censorship will add to political unrest and dissatisfaction in democracies.
4. Opinions by definition are subjective, regulating misinformation will therefore always be subjective.
5. There is no ultimate source of truth if this source of truth is determined by individuals and organisations regardless of their level of expertise. There are many subject matter experts such as scientists, doctors, engineers etc who disagree on a wide range of matters. I am a subject matter expert by profession. We all get it wrong sometimes. Discussing opposing views with colleagues is what elevates the quality of the industry as different views often lead to more extensive research being done or amendments to government legislation. Also it is not uncommon for opinions to change over time as new research becomes available.

Some examples of truths becoming misinformation, are medical professionals claiming there are no known associated health risks with smoking (may years ago). Opinions and truths are based on the information and data available at the time which can later be proven as false. Another example is also my mother being prescribed medication during her pregnancy. 20 years later it was determined this medication actually increases the risk of miscarriages. There are many examples of truths changing over time due to additional evidence / information coming available. Also research is often performed by parties who have a self-interest in a certain outcome and funded by corporations.

No clear limits and increased risk of litigation

6. These additional powers can apply to so many things, what is the limit if any? Most advertising & marketing is to some extent misleading. Many products are being marketed as healthy when they are not. What about movies & television shows, will alternative views only make it to the media disguised as fiction? Will anyone using a filter on their social media photo (misleading) need to include a disclaimer? The online landscape is mostly clickbait and due to the vast amount of it, most people have the skills to navigate this. For children there is already education on 'safe' internet use etc.
7. Where the Australian government asks to remove a certain post and later their basis for doing so ends up being incorrect, they are likely to get sued. It's creating a legal minefield.

Relevancy & Improvements the government does have the ability to make

It would make a lot more sense to focus on the safety of users online, not by determining what they can read but by addressing things like online bullying, stalking, extortion, intimidation, bots, privacy and last but not least fraud. I work in the banking sector and the amounts of money lost by Australians due to online scams is insane. Some of these issues are so much more relevant than creating potential legislation that may contribute to growing extremism and division.

A much greater risk than 'misinformation' but closely linked are things like political interference via the use of 'bots' trying to sway public opinion. There are many fake and unverified accounts on social media platforms. If these would not exist, this would likely also reduce the existence of so called "malicious disinformation".

There is no place in a democracy for any form of censorship of its own people. These two simply do not go together, there are so many other meaningful improvements that can be made to the governing of broadcasters, telecommunication & digital platforms. It is highly disappointing to see the focus on misinformation (specifically after the covid bungle where the experts changed their mind every month as more information became available). Misinformation means censorship, any decisions made in relation to this are largely subjective and likely political to some extent.

Addressing issues such as privacy, fake accounts and online bullying remain largely unaddressed. Looking at improving things would contribute greatly to creating a safer online environment with higher accountability by users and platforms.

Also does it really matter if some thinks the earth is flat?

Marjon Smith

