

This is my submission:

- I understand and accept the need to curb misinformation and disinformation that is **truly** a threat to the safety and wellbeing of Australians, our democracy, society, and economy. **However**, the *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023 (Commonwealth)* is a significant overreach by the government. It will impose some of the most draconian controls on free speech in the Western world.
- The Bill is inconsistent with fundamental freedoms of speech and communication under international human rights instruments like the UN Declaration of Human Rights and the International Covenant on Civil and Political Rights.
- The Bill puts too much power in the hands of unelected bureaucrats to silence speech in the public square without transparency or accountability.
- The Bill fails to include mechanisms to protect valid expression of opinion and belief or to ensure that there are clearly defined limits on suppression of speech.
- The Bill includes a vague and ideological definition of “harm” which risks it being weaponised to shut down legitimate religious and political speech on pressing social issues particularly anything that contradicts prevailing ideologies and political messaging.
- The Bill does not require mechanisms that will hold digital service providers liable for excessive and onerous policing of legitimate speech.
- The exclusion of government-authorized content from this censorship regime is hypocritical and inconsistent and will result in one rule for government and another rule for Australians in what they can say.
- The Bill gives ACMA excessive powers to compel owners and private users of digital platforms to provide information and evidence about misinformation and disinformation that is a worrying breach of privacy.
- The Bill does not provide a sufficient standard of accountability and oversight for misuse of censorship powers.
- The few provisions that have been included to acknowledge the competing right to freedom of expression are tokenistic and do not satisfy the high bar required in international law for the interference with fundamental rights of freedom of expression.
- The severity of the penalties for failing to comply with the misinformation codes and standards and for failing to provide evidence requested by ACMA is excessive and will provide a ‘chilling effect’ on free speech.

I request the government redraft the Bill to provide a balanced approach to the threat. If this is too difficult, leave things as they are. The Australian people will bring things to the fore on an individual basis as and when necessary.