

The Issues with the proposed Bill

Human rights

The current codes that give the scope of the ACMA are balanced around the protection of political communication. We have seen horrendous power grabs by elected officials and health bureaucrats over the last three years and what that means for Australians, the cost of the measures employed against civilians over this time will take generations to overcome. To use this time of fear and panic to justify this power grab to silence opposition is not only unconscionable, unjustifiable and unnecessary, it seeks to violate rights that have been upheld in the high court according to covenant (of which we are a signatory), human rights that those who seek to be “protected” through this bill have refused to ratify into legislation, guaranteeing those rights.

This bill is based on the belief that Freedom of Speech should be “balanced”. Freedom of Speech is an essential tool for open and honest discussion of beliefs held by an individual or group, which can lead to debate and discussion to the benefit of the community. To label information as “mis” or “disinformation” is the silencing of different opinions; opinions and thoughts that according to Article **18** of the International Covenant for Civil and Political Rights (hereon referred to as Articles) are non-derogable in addition to violating Articles 1, 2, 17, and 19.

The belief that “misinformation and disinformation” can be applied by an unelected bureaucratic process is a weaponization of overreach by the government to control a population through threats of force and intimidation, overriding the ability for individuals to self-determine their own lives, choose what they believe and how they are able to interpret the information they receive. The watering down of this human right is a dangerous overreach that has been used many times historically to subjugate a population shortly before other atrocities are committed (see Naziism, Stalinism, Maoism).

Most of the recommendations for this bill rely on what was classified as “anti-vax” sentiment, however, science evolves, it doesn’t rest on unshakable truths that are impervious to change, it rests on the best available evidence and that means it is subject to change and should be debated. So what happens when the “science” changes, science that was previously used to arbitrarily remove the rights and freedoms of the civilian population?

Given the last three years of oppressive abuse (by elected officials, police and other unelected bureaucrats), silencing of dissenting voices (in violation of Article 1, 2, 3, 17, 19, 26), withholding information about vaccination injuries and restricting access to relevant information to give informed consent (in violation of Article 1, 2, 3, **6, 7, 18**, 19, 26), coercing people into an experimental medical procedure (in violation of Article 1, **6, 7**) through intimidation and threatening their livelihood and social lives (in violation of Article 1, 2, 3, **6, 7, 17, 18**, 19, 26), lockdowns and restrictions in attending other public/private businesses and residences, including segregation of the population (in violation of Article 1, 2, 3, **6, 7, 9, 10, 12, 17, 18**, 19, 21, 22, 26).

In some of these cases, science didn’t change, the science didn’t exist to support the claim, and those making the claims had no basis for their assertions, i.e. vaccinated individuals could not transmit the disease (it was stated clearly by a █████ board member in an EU inquiry by Rob Roos MEP, that these studies were not conducted), disposable masks stopped transmission or offered a level of protection (it was stated by a state premier that they were intended to increase public confidence, however, many people suffered physical abuse by police and other citizens for not wearing them). The measures above did not follow the “Pandemic Preparedness Plan” that was put

in place well before the disease hit our shores, instead, our elected officials and unelected health bureaucrats chose to rely on “modeling” and the choices/advice of other countries to make their decisions, not the data that was available to them.

During the pandemic, alleged “anti-vaxxers” were silenced and segregated (a violation of Article 1, 2, 3, 6, 7, 9, 10, 12, 17, 18, 19, 21, 22, 26) and made to feel that they were indeed the minority, parroted through the media, every hateful lecture from behind a government lectern and the treatment of others that we once eschewed was embraced and promoted through the media, all to silence a dissenting opinion. The hateful propaganda used against the alleged “anti-vaxxers” promoting hostility, and violence (as used by our police force and a number of civilians who had been radicalized by the opinion of media organisations and elected officials) falls just shy of the definition of Article 20. As humans, living under the law, the shortcomings of the law are exploited as an opportunity, with some being all too happy to make a scapegoat of others to relieve the pressure and fear created by those same elected officials and media organizations.

This bill is repugnant to freedom of speech in that it excludes the speech of some from being persecuted through the lens of mis/disinformation and targets anyone else, their platforms, their accounts and ability to communicate their political opinion, point of view, frustration, and misunderstandings in the way they choose to do so (Directly violating Article 19). This causes people to seek other methods of communication that cannot be censored but also leads to isolation and alienation of part of the population because their opinion is ‘wrong-think’. This leads to an increase in mental health issues, violent outbursts and poor outcomes for the wellbeing of individuals and their families, which would most certainly be an undesired outcome? For evidence of this, simply look at the part of the population that was isolated and subjected to this cruel, inhumane and degrading treatment with recent (and still current) mandates, their mental health outcomes, number of suicides, marriage and partner separations, of this targeted demographic.

By forcing “providers” into compliance with a code of practice along the lines of this bill, it would be targeting individuals who felt that under the current invasion of their right to freedom of speech, had no other option but to migrate to platforms without censorship and this will force those platforms into compliance (censorship) as well. This limitation of opinion, however one may disagree with the level of “wrong think”, is a violation of the basic human rights of individuals to use platforms for communication, ideas, expression, emotion and meaningful dialogue, constituting an act of coercion to limit ones freedom to adopt a belief (Violation of Article 18). This is an act of unrestricted warfare on the opinion of a class of people; these people have been made a separate class and consistently targeted through the hate-speech of elected officials and media outlets with others also parroting and adopting that same diatribe to shame, humiliate and silence the opposition, consequentially this is not seen as hate-speech or discrimination. Where does it stop and when will people be free of this level of hate? This kind of division of the people would also be seen as an act of war if it was propaganda from an external force, so one might ask, “why is it acceptable for our own people to divide us, turn us against each other, silence opposition, but not a foreign aggressor?”.

Intelligence and interpretation

The most dangerous precedent that this bill sets is that most individuals are not capable of determining what is fact from fiction, except for those that will be given this power to choose (or the NGO’s assisting). The undercurrent of this thought process, that only certain individuals are capable of discerning what is appropriate content for discussion, sharing and what is unacceptable, is

abhorrent and condescending. The belief that someone has the right to determine the beliefs and access to information of another person, limit the reach of the discussion of a particular topic and thwart political opposition, all sound like the extreme censorship and interventions we have heard about from demonized countries such as China and North Korea.

Information is open to interpretation, it is up to individuals to understand and process information for themselves, create a judgement on that information and act on, or share that belief. This bill will in actual fact be targeting the interpretation of information, assessing whether that interpretation lines up with a level of acceptability for the one holding the gavel and shutting down all other communication, which is a major step in the wrong direction for a democratic society, in order to eliminate 'wrong-think' and remove information from the grasp of the public, as is current practice in China.

This bill excludes government bodies, education and mainstream media, yet covers areas that are a gathering point for many people. This bill states that these other organizations can produce content that only reflects the truth, nothing they say will be held to account, however false, hateful, divisive, harmful to public health they may be. This is reinforcing the fact that this bill assumes the public need to be protected from themselves and 'wrong-think', they are not capable of making their own choices or acting appropriately in society without continuously restricting their freedom, this also seems to be set to stifle citizen journalists who are not part of the big corporations and operate independently, offering a more objective view than their counterparts.

There is a major difference between misinformation and disinformation, that is intent. The mis-informant may simply be passing on information that they have heard but not had a chance to verify, process or think about, the informant not intending to deceive their audience. The dis-informant on the other hand is intentionally misleading people, either stating they have verified the information, or they know the information to be true because of the source, this however, is where it becomes difficult, why would someone intentionally mislead others to believe something that is false? For any law/regulation/limitation to be fair, just and effective, there can be no exemptions for what is a lie, intended to deceive, there must be an avenue for open, honest debate in whatever form/platform it is desired for that to take, and everyone, regardless of their station, should be subject to it. To restrict the social media platforms, news media, radio and so on, one restricts the ability to pass on information, have open and honest debate, communicate and express oneself in their chosen form as the unelected and seemingly unaccountable arbiter of "truth" will now be able to censor whatever doesn't fit within the confines of what it decides is "free-speech".

Ultimately this bill is attacking the interpretations of information that each individual is capable of, some are easily corrected if based on false supposition or the lack of the whole story, even then, supplying that information may not change the minds of the informer, as is their right, to believe what they wish, even if it is false, sharing that information after receiving the missing parts of the story, spreading the same message then arguably becomes disinformation. This is something that our elected officials and unelected health bureaucrats are guilty of, as the "safe and effective" claims are gradually proven "false and misleading" at best.

These "officials" will not be affected by the proposed changes and will not be held accountable by this proposed system, creating two levels of accountability, one, the average person, trying to put their information in order and making up their own mind being silenced, two, the "officials" who regardless of how false their claims might be, are exempt from correction and application of the "rules", which then means that an uneven application and targeting may take place against an uncomfortable truth for those in this position. This will lead to the alienation, slander, segregation,

isolation and oppression of the group that disagrees with those who have the “authority”, something we have seen weaponized through propaganda (which is disinformation, something that the informer doesn’t necessarily believe but knows is false and uses it intentionally to mislead), specifically targeting a portion of the population, spewed forth from the lecterns of officials and that hate propagated and instilled in the population through the captured media (in direct and flagrant violation of Article 7).

Outsourcing the gathering and sharing of “issues relating to disinformation and misinformation” to NGO’s that are not without their own agenda and have certainly been radicalized in the last decade as a means of targeting and disrupting public life, debate and discourse (as they are primarily funded by organizations that have their own self-serving agenda), is incredibly dangerous, especially for an already angry and violated people. These NGO’s use “opinion”, as it has been ruled in court at the end of 2021, the independent fact-checkers are the “protected opinion” at best of the author of the “checking” and “not necessarily based on fact”. This opinion is used to silence the voices of anyone else that may have a different interpretation of the facts available to them. This is a weapon in the wrong hands (particularly those with conflicts of interest) and a propaganda machine in the hands of government, or other organizations that have vested interests as these agencies are often unaccountable to anyone.

This is a threat to democracy and human rights, we all deserve the right to speak, form our own opinions, share those opinions, associate with those we choose to, have debate in the forum of our choosing regardless of whether that opinion may be considered ‘wrong’. We are governed voluntarily, and all under the law, when the opinion and interpretation of facts of one party is the “only source of truth”, we don’t allow for debate, the other side of the argument and their interpretation of the information is silenced, much like the dark ages. When the opinion of the sitting government dwindles, they are replaced, when you silence the debate and the voices of those who are inclined to voice their opinion and appeal to others, whether that be by limiting their reach, shutting down their accounts, etc. you stop open channels of communication, debate and ultimately sever people from meaningful human connection and asphyxiate the democratic process.

In the recommendations from the report, there is mention of invasion of private messaging. I have serious doubts about where the reach of interference in the communication of ideas, thoughts and discussion stops, where people are going to be free to access their freedom of speech, share their views and debate on topics they are passionate about? Who decides that people aren’t capable of forming their own ideas, working through what is or isn’t true, their journey on the road to the truth? What happens when you keep preventing people from sharing their ideas, connecting with others, exploring different thoughts, stifling debate and exploration? This is a completely unacceptable, anti-democratic, human rights abusing step towards a totalitarian society that Stalin, Mao and Hitler would be proud of, something that has been happening all too often in recent times.

Overreach

This bill is a continuation of the harmful and shameful addiction that our government and unelected bureaucrats appear to have in controlling the population to only see their view on any topic, again seeing the public as incapable of making their own decisions and needing their access to information controlled. The collusion with social media and data services to “shadow-ban”, deactivate accounts, websites, limit search results, and remove posts, all to control the flow of information and conducted in secret, unbeknownst to the public (as revealed through FOI requests by Sen. Alex Antic). This is a

clear indication of what kind of weaponization of information our government is willing to stoop to and there is no reason at all to “trust” those who are still trying to silence dissenting voices. So when someone wishes to follow “anti-vax” sentiment and they are basing their belief on interpretation of the best available information and lack of trust in the agenda of those pushing a particular narrative and when the government wishes to follow science that doesn’t exist, the former is silenced, segregated, abused and the latter is promulgated, advertised and we end up with limiting the human rights of the former based on disinformation, which according to the bill is a label the government, media and educational institutions will be impervious to.

Given the admission that the Australian Government (or several departments or statutory bodies thereof), were involved in silencing certain accounts on social media that disagreed with the narrative of the last three years, those people who were speaking either from their personal beliefs or other relevant and credible sources of information (that contradicted the narrative), it is hard to believe that the statistics mentioned relating to removal of posts/content by Twitter/Facebook in the report are accurate as many were not voluntarily removed i.e. over 4000 were requested directly by those government bodies, and content was also suppressed (reach diminished through shadow-banning). The repetitive theme in this report is that people were involved in spreading dangerous misinformation, yet our government was allowed to spread dangerous disinformation and hate speech uncensored in collusion with big-tech and media organizations.

The statement made in the report about “chronic harms, such as reductions in community cohesions and a lessening of trust in public institutions”, coming from the angle to stop information shared in public spaces leaves the window wide open for interpretation. We were lied to about safety, effectiveness, transmission, injuries, silencing the medical profession, masks, censoring free speech, and modeling that was used as a justification for all kinds of abusive totalitarian measures, weaponized against an unsuspecting and, at the time, trusting civilian population. Our medical establishment (or trust therein) is in tatters, communities were torn apart, businesses were destroyed, families broken (separation, divorce), the population was segregated, the livelihoods of many thousands of workers taken away, those same people labeled with derogatory and unwarranted titles and harassed them with police, people took their own lives (including many children and young people) and some, resorted to self-immolation. This was all inflicted by those claiming that we need to be protected from mis/disinformation but have been the primary source of the pain and suffering of their own people through disinformation. This report wishes to speak about cohesion, I believe it is referring to compliance, and unquestioning faith in public institutions.

This report uses an example of how online misinformation can lead to violence, the evidence it cites is the “storming of the US Capitol, insurrection, or US Capitol Riot”. It is very clear from evidence that has been released that there were state actors involved on that day with their faces covered, both encouraging people to commit acts of violence and breaking windows for people to get inside the building. The report also claims that 5 people died that day, which is untrue, also disinformation, only two people died that day, a woman shot dead by staff in the Capitol building, another woman who asphyxiated because of a mixture between the weapons used against them on the day and the press of the crowd, who became trapped in a tunnel at the side of the building (contrary to the claims of the US administration, no police died as a result of the alleged riot). Thousands of hours of video footage have been released in the recent investigations that prove the claims of those who were there that day and disprove the claims of others that were the prevailing disinformation narrative up to this point. That narrative was used to persecute those who were there on the day, protect the bad actors involved and create a political statement which has been used in common parlance by those who profit from it ever since. This is the danger with labeling anything that goes against the

“preferred” or “comfortable” as mis/disinformation, the ability of those in positions of power to weaponize the silencing of political dissent for something that is later proved to have been true all along, with those trying to silence opposition clearly knowing the truth but suppressing it for personal or political gain.

Considering all of the preceding information this bill wishes to manipulate the right to political opinion, freedom of speech and freedom of association by limiting what is considered acceptable according to a prevailing government narrative and advice from NGO's. if people are marked as 'wrong think' for their opinion or interpretation of facts surrounding a referendum or election, where are they supposed to express themselves or their opinions surrounding said election or referendum in a way that their freedom of speech cannot be edited, removed or manipulated? Even if the interpretation of the facts doesn't align with the accepted “belief” of the government and statutory bodies, people are entitled to have and express those thoughts through whatever medium they choose to do so. Currently we have a referendum that is pending, there is a great deal of information circulating that those involved in the campaign (that stand to benefit from its installation) may not be the people we are supposed to think they are, if there is no place to express those thoughts then the public become disgruntled, especially if that communication is stifled and shut down by those who would purport to be the only source of truth and silence any opposition to further their personal agenda.

It is not acceptable to control open and honest dialogue regardless of whether the information contained within may be missing elements that are allegedly required to make up a particular version of the truth that suits a class of people. This particular 'content' being off limits to opposition means that if there are 'bad actors' in positions of authority, civilians will not be able to call them out for their deception, corruption, perversion of justice or elections, particularly if that doesn't suit the prevailing narrative of the seated government (including statutory bodies, NGO's or other actors), especially when the media that has the voice to expose said corruption is working in collusion with that government. This is not only manipulation of freedom of speech but also political communication and to overstep this boundary is not only dangerous for the restriction of progression for our society but also leads to anger and violence, unless this is the desired result?

Science

The claim that masks were effective at stopping transmission (as mentioned earlier) was admitted by officials that it was not done for the reduction in transmission as claimed, but for the mental wellbeing of the public “to boost public confidence”, this was harmful disinformation. The intent may have been honorable but the actions (subsequent penalties issued by police) and words of those officials was deceptive. People were vilified for not wearing a mask, even those that had valid exemptions (or qualified for those exemptions such as PTSD, Asthma, Autism, and many others), and there is a great deal of video footage of police and other members of the public physically assaulting people for not wearing masks (see aforementioned harm). Regardless of intentions, those actions segregated numbers of people into the second class of citizenry and at times they (officials and the media) openly criticized anyone who didn't wear a mask, exacerbating the issue, because of their disinformation. If we allowed open and honest debate about this issue, the truth would have surfaced, we were lied to by those that we are supposed to trust. This bill serves to do the opposite, silence any dissenting voices, keep people who are questioning things separated from each other and prevent their right to speak openly, actively seeking to restrict their freedom of speech, association and political opinion in access to a public forum of their choice.

When the health advice at the beginning of the pandemic was surging toward the eschewing of any other diagnosis (except COVID) and silencing or discrediting those trying to find off-label treatments to cure those with the disease, the health advice had an amazing ability to avoid any hindrance to a vaccination campaign and this is why freedom of speech and political communication are so important. A Campaign that consisted of a series of novel therapies (some gene based, others not) and to force people into it through economic duress, public shaming and lashings of discrimination.

The science appeared to lack any criticism at all, only there were critics, thousands of professionals were critical but silenced, refused airtime by the media, the science did not support a vaccination campaign for a population laboring under the disease, human rights didn't support medical experimentation without free and informed consent, and the established doctrine of 'duress vitiates consent'. We are still living in the two tiered society that these measures created, the vaccination campaign is still ongoing, the health advice even after two years hasn't changed even though the available evidence has changed the minds of the population. This amendment bill seeks to change just that, the availability of the information that doesn't agree with a narrative and an unscientific clinging to a failing argument, regardless of the cost to the public, which under the protections proposed will now be used to protect and proliferate harmful disinformation.

Two tier system/society

This bill, according to the report, will seek to provide financial assistance to the media, who actively sought to silence, shame, defame and segregate the dissenting voices and played along with the primary narrative of the government, rather than challenge them, as they ought. I vehemently object to these organizations receiving public funding and support to propagate propaganda, they are businesses that exist for profit, if they cannot make profit from their own channels, why should they receive any kind of funding to produce "credible information and news", a form of bribery to produce a single type of reporting that is desirable, if they aren't capable of performing their primary function, they don't deserve to exist as a business.

This bracket creep towards an authoritarian society, a locking down of basic human rights, derogating from the non-derogable in the interests of safety "es ist zu ihrer Sicherheit" they claim, as did their forbears in the 1930's, let us stop it here lest the next step be "Arbeit macht frei" for those who are uncompliant.

This comes from accounts of Jews that lived through the time when it started with park benches excluding a certain 'type' of people, then no swimming at the public pool, then segregated choirs, then restricted hours to shop for groceries, then forced relocation and the end I am sure you were aware of – Marian Turski, all of which started with the silencing of dissenting voices.

We have lived through some of these already, disguised under the banner of public health, many still treating those who chose not to be vaccinated (whatever their reasons) with harsh discriminatory actions and still think that this is acceptable, many were happy to lock out the unvaccinated from their businesses, abuse people who couldn't wear a mask or didn't want to, cut off family and friends, creating a two tiered society and pressing down hard on the neck of the unconvinced. We still have mandates in a few industries, people still don't have their jobs back and it has even been admitted by significant health bureaucrats that "mandates are no longer justifiable..." which begs the question, were they ever justifiable?

When these people were being abused, not allowed to work, losing their family and friends thanks to divisive and abusive messaging from news channels/articles and “elected officials”, while simultaneously being targeted and silenced on social media platforms by the platforms themselves and secretly by their own government, again against their basic human rights, when they were cut out of society and talking about things that have eventually come forward as the truth, where did they go for human contact, for venting their rage at an unjust system that turned its back on them? They went to social media, they weren’t allowed to integrate and mingle with others in public spaces, so they met online, many organized protests and participated in them, the largest one happening in Canberra with an estimated 1.5 million people.

Not one media organization would accurately voice the other side of the story, not one would speak on their behalf, and we are now faced with the prospect that we may be restricting private conversations between adults in what has become the new “town square”, whether those opinions are right or wrong, who is to decide except those who hold onto those beliefs. We try to make our own mind up on subjects that we are given appropriate levels of information about, and someone now gets to decide what the other side of the debate is allowed to say, that’s not free, that’s not fair, and that is definitely not how a society thrives, that’s how you smother it out of existence.

Let’s not forget the medical industry that is still refusing medical treatment for those who choose not to take part in the clinical trial, as is their human right, the question here is, does that make it right to refuse medical treatment or procedures for those who wish to decline participation in a clinical trial? Should anyone be denied medical treatment who refuses to participate in scientific experimentation where death is a possible side-effect, regardless of the likelihood of the outcome? Article **6, 7** of the Covenant say no, no one shall be subject to medical experimentation without their consent, duress applied that you will be prevented from lifesaving medical treatment if you don’t comply vitiates consent and no one shall have their life arbitrarily taken from them, no one should be exposed to this level of risk under duress, having to comply to save their life.

Trust

We are expected to believe that all those in control of deciding what is mis/disinformation have the best interests of the public at heart, will be immune to corruption, influence, perversion of process and have no personal agenda at all. Yet those same people do not trust the public enough with making up their own minds on the supply of information, yet what distinguishes those who are able to decide on what is truth from what is mis/disinformation? These are words used to describe one groups interpretation of what another thinks or says, and as we have seen, not necessarily based on facts but opinion.

Another serious concern is that ACMA is run by unelected people that the public have no discretion as to who they are, their background, what their political or ideological persuasion might be and therefore, considering that ACMA will “by legislative instrument” be entitled to vary standards and pressure platforms to remove content that may not violate any standard but because of political or ideological motivation, abuse their position to the benefit of their chosen political or ideological motivation. I don’t care for arguments that these organizations will be held to account by the law and the government, again, we have seen the unaccountability of unelected health bureaucrats and their contempt for accountability in senate inquiries and I have no reason to believe that ACMA will be impervious to weaponization in the same manner. Additionally, individuals that have suffered discrimination and unlawful interference with their communication have little hope of taking ACMA

to the high court to challenge them on any decision to limit their political communication, freedom of speech and association (groups), based on the expense incurred by the individual in comparison to the near limitless funding of the statutory body.

If this bill goes ahead, it is further evidence of unrestricted warfare being conducted on the people of this country.

I am happy to reference any comments, statements, even this whole document upon request, due to time limitations, this was not possible.