

Submission on the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023

Thank you for the opportunity to comment on the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2023.

I have many concerns about this Bill, including:

- Its adverse impact on the basic human right to freedom of opinion and expression (Universal Declaration of Human Rights, article 19)
- The fact that the government is exempting itself from the censorship – presumably because governments always speak the truth, the whole truth and nothing but the truth!
- How it will be determined that something is misinformation. History is littered with examples of people being ridiculed for saying something controversial, only for it to be proven later that they were right.

However, in this submission, I want to concentrate on the definition of “harm”. The Bill seeks to censor “information that is false, misleading or deceptive” (7 (1) (a)) and “likely to cause or contribute to serious harm” (7 (1) (d)). Amongst other things, “harm” is defined to mean “hatred against a group in Australian society on the basis of ethnicity, nationality, race, gender, sexual orientation, age, religion or physical or mental disability” (2).

Once upon a time, “hatred” meant “a feeling of intense dislike; enmity” (Collins English Dictionary). Now the label “hate” is attached to anything that you say that I don’t agree with, even if there is no animosity in what you are saying. So, the Bill’s definition of harm is unacceptably vague, and could easily be misused to stifle debate when people do not agree with the ideology of whatever government is in power.

Thank you for your consideration of these comments.