

## **Submission To Government: Exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.**

I am totally opposed to the proposed Misinformation and Disinformation Bill 2023 providing the ACMA with powers to regulate online information for the following main reasons:

1. It is a gross abuse of our right to free speech. This right is a fundamental pillar of our democracy and many other freedoms that we have enjoyed and fought to protect for hundreds of years. The government has no reasonable role to play in attempting to regulate what may be shared online based on vague assessments of "truth" and "harm".
2. Who will be the final arbiter of "truth"? It is very clear from events over the last few years that the government cannot be trusted to determine what is true and what is not. In the past determination of truth has prevailed after robust debate and even if consensus is never achieved, individuals are left to make their own determination based on evidence provided. Even our judicial system at its core is based on a group of individuals reaching a joint conclusion (by jury) rather than a decision by a faceless so-called "fact-checker" who lacks even the slightest appearance of being free from a "conflict of interest".
3. Who will assess "serious harm" in this context? A significant number of our community consider that the government itself has caused immeasurable harm to society over the last few years with business failures, mental health issues, relationship damage, injury and death caused by invasive pandemic response measures and a "one size fits all" medical intervention which forced people out of jobs etc. How on earth can we trust the government to properly assess harm after all of this? Why have they already been so unsuccessful in dealing with the harm caused to our community by online pornography?
4. Unfair application of the proposed law. Apparently, the government and accredited media are exempt from the restrictions of the bill. This obviously means that the government and media can spread online misinformation with impunity. On what planet is this seen to be "fair"? Obviously, the government and media are regarded as always being right and truthful. Who in their right mind expects the ordinary man in the street to swallow this?
5. Unfair and unrealistic implementation of the proposed law. Given the amount of information that is put online (on any server anywhere in the world) it would be impossible to legislate for service providers to comply with an Australian law to "fact-check" every piece of information posted. It will obviously be expected to work on a "complaints" basis where presumably anyone could question the "truth" of a statement and raise a complaint which would then be forwarded to the service provider. It is incomprehensible to consider how this would work in a general sense. Perhaps for a few of the big online services (Meta, Twitter[or is it 'X' now?], YouTube, etc.) there might be some avenue to process a complaint (tested and refined in the last few years) but the reach is unlikely to extend much further in practice and many have already migrated to other platforms which will completely ignore any attempts by authoritarian regimes to regulate content. All of this is also ignoring the ability of online content generators to devise technical workarounds to the regulation of online content. In addition, the implementation costs of this futile exercise will be borne by the taxpayer and the end user of online services.
6. Attempts to restrict basic human rights of free speech will cause civil disobedience and further erosion of trust in government institutions. The harm this will cause to our society will eclipse any potential "harm" caused by the "misinformation and disinformation" this bill seeks to regulate. Any part-time student of history will quickly realise that this bill is a typical totalitarian tool to control the official narrative and implement censorship on a grand scale.

A healthy, democratic society is based on a free exchange of ideas that provide for individual responsibility and mutual respect. This proposed bill is in direct opposition to this principle, and I call on the government to drop it completely.

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