

SUBMISSION MISINFORMATION AND DISINFORMATION BILL 2023

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**Introduction**

Find enclosed my Objections to the passing of this Bill in full. In the main it takes away our freedoms of speech and a total disregard for the opinions of the Australian people by the authoritarian Government of Australia. Find below a list of the reasons why this bill is dangerous and infringes on our Rights and is an Abuse of Government. There is no Due Diligence by the Government as to how dangerous this Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 will be.

**The Australian Government is committed to protecting and promoting traditional rights and freedoms, including freedom of speech, opinion, religion, association, and movement.**

**I also direct you to attorney-generals department article 19(2) Right to opinion and expression that states quote**

**The right to freedom of opinion is the right to hold opinions without interference, and cannot be subject to any exception or restriction.**

**The right to freedom of expression extends to any medium, including written and oral communications, the media, public protest, broadcasting, artistic works and commercial advertising. The right is not absolute. It carries with it special responsibilities and may be restricted on several grounds. For example, restrictions could relate to filtering access to certain internet sites, the urging of violence or the classification of artistic material. Unquote**

**Discussion**

1. **As stated by the Human Rights Commission Australia The Human Rights Commission said in a submission:**

**The nation's top human rights body says there are inherent dangers in any body, be it government, a government taskforce or a social media platform, becoming the sole arbiter of truth,**

**“There is a real risk that efforts to combat online misinformation and disinformation by foreign actors could be used to legitimise attempts to restrict public debate, censor unpopular opinions and enforce ideological conformity in Australia’.**

**“All efforts to combat misinformation and disinformation need to be accompanied by transparency and scrutiny safeguards to ensure any limitations imposed upon freedom of expression are no greater than absolutely necessary and strictly justified’.”**

2. **What is the process to be followed to determine what is truth and what not? Who will make the decisions and on what grounds and distinguish what is an opinion or a statement of fact? Is it a Legal argument for a court to decide?**

3. **The guidelines for the Bill are very broad and are confusing, Ambiguous and Convoluting.** unclear or confusing because it can be understood in more than one way and open to interpretations through the words Serious Harm, Environment, Economy and under minds the integrity of the Australian democratic process and freedom of expression.

The Bill defines misinformation and disinformation as follows: Misinformation is online content that is false, misleading, or deceptive, that is shared or created without an intent to deceive but can cause and contribute to serious harm.

Disinformation is misinformation that is intentionally disseminated with the intent to deceive or cause serious harm. Serious harm is harm that affects a significant portion of the Australian population, economy, or environment, or undermines the integrity of an Australian democratic process. Unquote

The Guidelines are Confusing and has a Broad description that can be interpreted in many ways and can be changed to meet the requirements of ACMA to suit them as they see fit.

4. **Why is the government and Mainstream media exempt from the Laws?** This means both these organisations can still spread misinformation at will whilst Australians citizens would severely be censored in making comments or giving opinions. Sounds like rules that are in place in Communist and other

countries to ensure the population does not have the opportunity to have free speech. The Australian Government is guilty of spreading misinformation when it is for political gain and the Media spreads propaganda depending on whether they are of the Left or Right. It is common knowledge by Australians of this practice. A Federal court Judge in the USA has installed an injunction where the US government, FBI and other agencies cannot communicate or advise social platforms of their content or Fact checking procedures they have in place. It seems strange that a World Power has this, yet Australia has gone down the Censorship and interference path with these platforms. One must be suspicious of their reasons for doing this. Another question is who will do the Fact checking determining what is fact and what is not? Who will determine if under their stated guidelines that the Serious Harm, Environment, Economy and undermines the integrity of the Australian democratic process and freedom of expression as these issues are left up to the fact checkers ability to determine if this is the case? Will the fact checkers have any qualifications to determine if this is the case or will they be as reported RMIT University students as reported in one press release along with ACMA staff etc who I doubt will have the authority or knowledge to decide on these matters?

I suggest benchmarks for the Fact Checkers for the the published information would be allowable unless the information would, on balance, be contrary to the public interest; if it is incomplete, out-of-date, incorrect, or misleading but it must be questioned on what authority and skills do the fact checkers have in this area of expertise? It must be asked who check the checkers? This does not give rise to an automatic statutory right of access on social media and other public platforms to a person's privacy or posts on a limited platform that is NOT published on a public platform and only sent to friends as nominated by the author on his platform in most cases or platforms on e.g Twitter where people follow that person by choice.

5. It is totally unacceptable that ACMA will be the agency who will have to employ many more staff to carry out the wishes of the government. They will also use methods to make sure the social media sites comply with their wishes by imposing huge fines on the Companies if they do not comply. These companies already have Fact checkers in place as many will know if they are blocked for periods of time for not complying with their standards. Dare I say it but it is a form of Blackmail where the Social media and other sites comply or face a fine that is a percentage of their total income which can amount to Millions of dollars. The sites must comply or be fined by the

Australian Government. The whole thing smells of a government who wants total control over these companies and in effect are Censoring these companies.

6. Other Acts must be looked at are they being contravened? We have the Privacy act. Facebook have a huge Privacy section which is extensive. Lots of pages that cover everything. Maybe ACMA and the government should read instead of going in rough shod. Found this under Information given out to agencies including government in your rights. Quote from FB privacy page as an example Quote

Government officials sometimes make requests for data about people who use Facebook as part of official investigations. The vast majority of these requests relate to criminal cases, such as robberies or kidnappings. In many of these cases, these government requests seek basic subscriber information, such as name, registration date and length of service. Other requests may also seek IP address logs or account content. We have strict [guidelines](#) in place to deal with all government data requests. Unquote. Agree with the requests above but not the request to browse and troll people's websites because of political reasons or opinions and where it involves FREEDOM OF SPEECH.

In a nutshell the Australian Government is invading our privacy which I might add is Password protected by the user on each site to protect their PRIVACY. Regular so-called offenders will be put on a Hot list and targeted on a regular basis when they are entitled to their freedom of expression or opinion.

Food for thought or even legal action if you want to go up that path. It is bordering on Totalitarianism. A totalitarian government is a government that maintains complete control over every part of public and private life of the citizens in that country. Remember what happened during the pandemic - Covid laws were extreme to say the least? Truths were deleted as it did not suit the Government Agenda.

7. Many people have different points of view and debate their opinions on social media and other sites where debate is allowed. Many countries do not have the same views as Australia and are entitled to have those views and they are not censored because they don't agree but they are not blocked or censored in our media because they are entitled to their opinions and the same applies to internet pages and social media platforms yet Australia has decided to go down this path of invading and attacking Social media pages because of the comments and opinions. These platforms have been around for many years and where the Owners put into place safety platforms (See conclusion link) to moderate their sites and police undesirable posts and have features in place where you can report posts for them to assess. Users have the freedom to either use a site or not if they choose. Misinformation and disinformation are rife but it doesn't harm the climate, Harm people and the environment as the guidelines above try to give as a reason for passing this bill. I suggest other motives are in place where the government has gone into Overreach because off their own agenda and

political views as it seems strange that this has happened suddenly and for no legitimate reason. Before the last election a lot of promises were made that never eventuated by the current government for political views. This was misinformation and disinformation on a huge scale daily. No criminal offences have occurred of merit and most users just use them for social interactions with friends and family and a few pages they follow.

FB for example have a lot of fact checkers that I have found from personal experience a couple of times after being given a time out for my comment. I don't agree with them but accept it as is the case with most users. This decision is going to make the FB police look like amateurs. I enjoyed the fact that I had to sign on and unless I fell for a scam or Hacker attack which I haven't I enjoy it daily. Knowing someone is reading my personal and private posts will make me feel like I have been invaded and my private life is no longer mine as it will be seen by an UNWELCOME third party who basically are spying on me against my wishes.

## Conclusion

This bill is a gross overreach of the Australian government's authority and overrides our right to Free Speech and our Human rights.

It will be Dangerous for the following reasons.

It will destroy alternative views.

Government will control how you think, Say and behave.

It is Dangerous at all Levels

It will control and shut down Radio and other outlets who give an alternative view.

It prevents alternative information leading us by the nose and brainwashing many people

It will allow Labor to decide what is legal and what is not as it is so broad in the guidelines it is convoluted - that is **overly complicated or disorganized**, when it should be much simpler.

It is Gaslighting of the highest order by abuse by our Government where we are being manipulated and brainwashed.

It is Morally wrong and abuse of powers where individual's perception of reality is repeatedly undermined or questioned.

**This is not about truth; it's about suppressing those who disagree.**

It is a duplication of a platform's community standards to the letter. The question must be asked why our government is bringing these laws when they are already in place. I direct you to Facebook community standards that are the same as the content of this bill.

To see these standards, search for Facebook community standards and click on transparency centre.

I suggest that this bill is being used to by our government to control and suppress Australian citizens from having their say on government decisions and actions similar to the Covid Misinformation bill that prevented comments that have since been found were True.

Another concern is ACMA will have access to users data on these sites. Will they access this data and create a Database of our personal details for use by other agencies and government which is unlawful under the privacy act? It is a major concern that must be addressed.

I have covered many areas, but this is not exhaustive but for the sake of some brevity I have left them out of my argument.

Hopefully with this submission and others the The Bill (amendment) will Fail to be passed and common sense prevail and allow lawful freedom of expression, And Freedom of speech to exist in this great country.

My final comment will be a quote on free speech.

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and

regardless of frontiers.”

— **United Nations, [Universal Declaration of Human Rights](#)**

Ends